

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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DATE: March 27, 2003

TO: Commissioners and Interested Persons

FROM: Charles Damm, Senior Deputy Director
Gary Timm, District Manager
Melanie Hale, Supervisor, Planning and Regulation
Shana Gray, Coastal Program Analyst

SUBJECT: Santa Barbara County Local Coastal Program Amendment No. MAJ-2-02
(Carpinteria Valley Greenhouse) for Public Hearing and Commission Action
at the April 10, 2003, Commission Meeting in Santa Barbara.

DESCRIPTION OF THE SUBMITTAL

Santa Barbara County is requesting an amendment to the Land Use Plan and Implementation Plan portions of its certified Local Coastal Program (LCP) to modify greenhouse policies and add an overlay district to all agricultural parcels zoned Agriculture I (AG-I) within the unincorporated areas of the coastal zone of the Carpinteria Valley (Exhibit 12). The purpose of the amendment is to regulate greenhouses, greenhouse related development, packing and shipping facilities, and shade and hoop structures.

The overlay district is applied differently in Area "A" and Area "B" of the overlay district. Area "A" of the Carpinteria Agricultural (CA) Overlay District encompasses approximately 664 acres of AG-I zoned land located south of Highway 192, east of Nidever Road and west of Linden Avenue (Exhibit 16). Area "A" within the CA Overlay District allows for future expansion of greenhouses and greenhouse related development with a development cap of 2.75 million sq. ft. (63 acres) for all greenhouse and greenhouse-related development, with the exception of shade structures. The Revised Final Environmental Impact Report (FEIR, February 2002) states "Area A provides a logical greenhouse expansion boundary for the continuation of highly productive coastal agriculture opportunities, while preserving the scenic values and rural character of the Carpinteria Valley."

Area "B" of the CA Overlay District is comprised of all remaining parcels not covered by Area "A" in the Overlay District, encompassing approximately 4,972 acres of AG-I zoned land (Exhibit 12). Area "B" limits the area per lot that may be utilized for new

greenhouses, greenhouse related development, packing and shipping facilities, shade structures, and hoop structures to *less than 20,000 sq. ft.* of cumulative development.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission, after public hearing, **deny** the amendment to the certified LCP as submitted; then **approve, only if modified**, the amendment to the LCP. The modifications are necessary because, as submitted, the LCP amendment is not adequate to ensure consistency with the policies of the certified Land Use Plan and applicable policies of the Coastal Act. The motions to accomplish this recommendation are found on **pages 7-10**. The suggested modifications are found starting on **page 10**.

The amendment will result in the addition of an overlay district to identify the location and intensity of greenhouse development in the Carpinteria Valley where unique public viewsheds, prime agriculture, natural assets and community character require protection under the Coastal Act. The overlay district is also intended to designate areas of agricultural lands in the Carpinteria Valley appropriate to support future greenhouse development. The proposed overlay district applies greenhouse development requirements with respect to setbacks, height, and lot coverage. In addition, the overlay district applies development standards related to water quality, landscaping, lighting and glare, air quality, noise, prime soils, hazards, and traffic to ensure well-designed greenhouse development that protects the water quality, visual resources, and rural character of the Carpinteria Valley.

Staff recommends twenty-four (24) suggested modifications to the proposed LCP amendment to conform with the applicable policies of the Coastal Act and the policies of the certified Land Use Plan. Staff is recommending modifications that generally address the following components: (a) the identification of a revised location for the proposed intensified greenhouse development expansion area (Area A), (b) reduction of the total development cap for Area A, (c) addition of a maximum lot coverage requirement, (d) addition of a maximum slope requirement, (e) addition of development standards for greenhouses on prime agricultural soils, (f) additional water quality requirements, (g) siting and design requirements to reduce impacts to visual resources, (h) revision of the proposed nonconforming structure policies, (i) abandonment procedures, and (j) several clarifying modifications.

SUBSTANTIVE FILE DOCUMENTS

Resolution No. 02-061 of the Board of Supervisors, County of Santa Barbara, State of California, *In the matter of adopting amendments to the Santa Barbara County Local Coastal Program to adopt the Carpinteria Valley Greenhouse Program*, passed, approved, and adopted by the Board of Supervisors February 19, 2002; Ordinance 4446, *Case Number 99-RZ-009*, adopted by Board of Supervisors February 19, 2002; Ordinance 4445, *Case Number 99-OA-005*, adopted by the Board of Supervisors February 19, 2002; Carpinteria Valley Greenhouse Study Options Paper (Santa Barbara County Planning and Development, February 5, 1999); Carpinteria Valley Greenhouse

Program Revised Final Environmental Impact Report (Santa Barbara County Planning & Development, February 2002);

Additional Information: Please contact Shana Gray, California Coastal Commission, South Central Coast Area, 89 So. California St., Second Floor, Ventura, CA. (805) 585-1800.

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LIST OF EXHIBITS

- Exhibit 1. County Resolution 02-061; Proposed LUP Amendments**
- Exhibit 2. Proposed Zoning Ordinance Amendments (Ordinance No. 4445)**
- Exhibit 3. Proposed Zoning Map Amendment (Ordinance No. 4446)**
- Exhibit 4. 1978 Staff Memo**
- Exhibit 5. Staff Comment Letter FEIR**
- Exhibit 6. LUP Section 3.8 Agriculture**
- Exhibit 7. Zoning Code Section 35-68 Agriculture I**
- Exhibit 8. Zoning Code Section 35-162 Nonconforming Buildings and Structures**
- Exhibit 9. Central Coast RWQCB Staff Report**
- Exhibit 10. Regional Location Map**
- Exhibit 11. Carpinteria Valley Greenhouse Program Study Area Map**
- Exhibit 12. Proposed LCP Amendment Map**
- Exhibit 13. Soils Map**
- Exhibit 14. Slope Map**
- Exhibit 15. FEIR Buildout Alternatives**
- Exhibit 16. Proposed Area A Expansion under Carpinteria Agricultural Overlay District**

I. PROCEDURAL ISSUES

A. STANDARD OF REVIEW

The Coastal Act provides:

The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200)... (Section 30513(c))

The Coastal Act further provides:

The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter...

The Commission may only reject ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out, together with its reasons for the action taken. (Section 30514)

The standard of review that the Commission uses in reviewing the adequacy of the land use plan is whether the land use plan is consistent with the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed amendment to the Implementation Plan of the certified Local Coastal Program, pursuant to Section 30513 and 30514 of the Coastal Act, is that the proposed amendment is in conformance with, and adequate to carry out, the provisions of the Land Use Plan (LUP) portion of the certified Santa Barbara County Local Coastal Program. In addition, all Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified County LUP as guiding policies pursuant to Policy 1-1 of the LUP.

B. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The County held a series of public hearings (Planning Commission Hearings 11/8/99, 1/19/00, 3/30/00, 6/7/00, 7/17/00, 8/16/00, 9/18/00, and 10/4/00 and Board of Supervisors Hearings 2/20/01, 3/19/01, 4/24/01, 8/13/01, 11/05/01, 12/03/01 and 2/19/02) and received written comments regarding the project from concerned parties and members of the public. The hearings were noticed to the public consistent with Sections 13552 and 13551 of the California Code of

Regulations. Notice of the subject amendment has been distributed to all known interested parties.

C. PROCEDURAL REQUIREMENTS

Pursuant to Section 13551 (b) of the California Code of Regulations, the County resolution for submittal may submit a Local Coastal Program Amendment that will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. In this case, because this approval is subject to suggested modifications by the Commission, if the Commission approves this Amendment, the County must act to accept the certified suggested modifications within six months from the date of Commission action in order for the Amendment to become effective (Section 13544.5; Section 13537 by reference;). Pursuant to Section 13544, the Executive Director shall determine whether the County's action is adequate to satisfy all requirements of the Commission's certification order and report on such adequacy to the Commission. If the Commission denies the LCP Amendment, as submitted, no further action is required by either the Commission or the County.

II. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE LAND USE PLAN/COASTAL PLAN (LUP/CP)

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided just prior to each resolution.

A. DENIAL AS SUBMITTED

MOTION I: ***I move that the Commission CERTIFY Amendment STB-MAJ-2-02 to the County of Santa Barbara Land Use Plan (Coastal Plan), as submitted by the County of Santa Barbara.***

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the land use plan as submitted and adoption of the following resolution. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

**RESOLUTION TO DENY CERTIFICATION OF THE LAND USE PLAN AMENDMENT
AS SUBMITTED:**

The Commission hereby denies certification of Amendment STB-MAJ-2-02 to the County of Santa Barbara Land Use Plan (Coastal Plan) and adopts the findings set forth below on grounds that the land use plan as submitted does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the land use plan as submitted.

B. CERTIFICATION WITH SUGGESTED MODIFICATIONS

MOTION II: *I move that the Commission CERTIFY Amendment STB-MAJ-2-02 to the County of Santa Barbara Land Use Plan (Coastal Plan), if modified as suggested in this staff report.*

STAFF RECOMMENDATION TO CERTIFY IF MODIFIED:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the land use plan with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of a majority of the appointed Commissioners.

**RESOLUTION TO CERTIFY THE LAND USE PLAN AMENDMENT WITH
SUGGESTED MODIFICATIONS:**

The Commission hereby certifies Amendment STB-MAJ-2-02 to the County of Santa Barbara Land Use Plan (Coastal Plan) if modified as suggested and adopts the findings set forth below on grounds that the land use plan with the suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the land use plan if modified.

III. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO)

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided just prior to each resolution.

A. DENIAL AS SUBMITTED

MOTION III: *I move that the Commission reject the County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-2-02 as submitted.*

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-2-02 and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted

B. CERTIFICATION WITH SUGGESTED MODIFICATIONS

MOTION IV: *I move that the Commission certify County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-2-02 if it is modified as suggested in this staff report.*

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM AMENDMENT WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies the County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-2-02 if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan as amended, if modified as suggested herein. Certification of the Implementation Program if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

IV. SUGGESTED MODIFICATIONS ON THE LAND USE PLAN/COASTAL PLAN (LUP/CP)

The staff recommends the Commission certify the following, with the modifications as shown below. The proposed amended language to the certified LUP is shown in straight type. Language recommended by Commission staff to be ~~deleted~~ is shown in ~~line-out~~. Language proposed by Commission staff to be inserted is shown underlined. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in italics.

1. Modification – New Greenhouse Development Location

Add the follow to the end of Section 3.2, Development:

Carpinteria Valley Greenhouse Development Policies

Policy 2-24: All greenhouse and greenhouse related development of 20,000 sq. ft. or greater, cumulative per parcel, within the Carpinteria Valley area shall be located within, contiguous with, or in close proximity to existing greenhouse development to preserve the scenic values and rural character of the Carpinteria Valley.

2. Modification – Area Boundaries

Policy 8-5(e) and text following Section 4.2.2 (Carpinteria Valley Planning Area)

~~On February 19, 2002,~~ ~~†~~The County of Santa Barbara adopted the Carpinteria Agricultural Overlay District (CA Overlay) based on the cumulative impacts identified in the Carpinteria Valley Greenhouse Program Environmental Impact Report (99-EIR-02 and revisions dated February 19, 2002).

The purpose of the CA Overlay is to designate geographic areas of AG-I zoned lands in the Carpinteria Valley appropriate to support future greenhouse development and to designate areas appropriate for the preservation of open field agricultural uses. The intent is to ensure well-designed greenhouse development and to limit the loss of open field agricultural areas from piecemeal greenhouse expansion by providing well-crafted development standards that protect the water quality, visual resources and rural character of the Carpinteria Valley.

The Carpinteria Agricultural Overlay District Map identifies areas where future development of greenhouses shall be regulated in accordance with the CA Overlay District. Area A allows future expansion of greenhouses, greenhouse related development, packing and shipping facilities, shade and hoop structures, on AG-I zoned lands as identified by the Carpinteria Agricultural Overlay District map, subject to the provisions of this overlay district. Area A is generally located south of Highway 192, east of Nidever Road and West of Casitas Pass Road as identified by the Carpinteria Agricultural Overlay District map. Within Area A, a total development cap of ~~2.75~~ 2.2 million square feet of new greenhouse and greenhouse related development, packing and shipping facilities, and hoop structures (excluding shade structures) has been established for the life of the program. Area B allows new greenhouses, greenhouse related development, packing and shipping facilities, shade and hoop structures subject to the provisions of the CA Overlay District. Area B encompasses the remainder of the AG-I zoned lands, as identified by the Carpinteria Agricultural Overlay District map, in the Carpinteria Valley.

3. Modification – Development Cap

Policy 8-5 (f)

Prior to processing any amendment to the Carpinteria Agricultural Overlay District boundary or ~~2.75~~ 2.2 million square foot development cap, the County shall complete an updated assessment of the effects of existing greenhouse development on the coastal resources of Carpinteria Valley. The study shall include:

1. Resource information on surface and groundwater quality, visual resources, prime agricultural soils, and biological resources. Adequate monitoring and baseline studies shall be performed to provide data for any future greenhouse expansion requests.
2. An assessment of the effectiveness of the County's greenhouse permit process, CA Overlay zoning requirements and development standards in protecting the Valley's resources and quality of life.

Planning and Development shall form a Citizens Advisory Committee to review the study and provide recommendations to the Board of Supervisors. The Citizens Advisory Committee shall include, at a minimum, representatives from the City of Carpinteria, County Agricultural Commissioner's office, Santa Barbara Flower Growers Association, and Carpinteria Valley Association. The final study shall contain a summary of the issues raised during preparation, particularly an outline of any disagreements between experts. The results of this study shall be subject to review and approval by the County Planning Commission, Board of Supervisors, and Coastal Commission.

4. Modification – Lot coverage, Height, and Setback Requirements

Policy 8-6

Within the Carpinteria Agricultural Overlay District the following lot coverage, height, and setback requirements shall apply to ensure compatibility with surrounding land uses, protect public views and scenic resources, preserve prime soils, and control the density of greenhouse development:

1. Lot Coverage

Lot coverage shall be calculated to include all greenhouses, shade and hoop structures, packing and shipping facilities, and greenhouse related development, including accessory buildings, and associated paved driveways and parking areas.

~~a. For parcels identified as view corridor parcels on the Carpinteria Agricultural Overlay District map, lot coverage shall not exceed 25% net lot coverage. Development shall be clustered adjacent to existing greenhouse development to the greatest extent feasible.~~

a. The maximum cumulative lot coverage shall be 65 percent.

b. In Area B, the maximum cumulative lot coverage shall be 20,000 square feet.

2. Height

a. The maximum absolute height of any greenhouse or greenhouse related development, or packing and shipping facility, shall be no greater than thirty (30)

feet above finished grade. The maximum absolute height of any shade structure or hoop structure shall be no greater than twelve (12) feet above natural grade.

b. Within view corridors the maximum absolute height of any greenhouse or greenhouse related development, or packing and shipping facility, shall be no greater than twenty-five (25) feet above finished grade.

3. Setbacks

The following setbacks for greenhouses, packing and shipping facilities, shade and hoop structures, and related structures shall apply:

a. *Front:* Seventy-five (75) feet from the right of way line of any street. For parcels within identified view corridors, the front setback shall be at least two hundred fifty (250) feet from right of way.

b. *Side and Rear:* Thirty (30) feet from the lot lines on which the building or structure is located.

c. *Interior Lot:* Twenty (20) feet from the lot lines on which the building or structure is located.

d. One hundred (100) feet from a residentially zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within fifty (50) feet of the parcel boundary.

e. One hundred (100) feet from top-of-bank or edge of riparian habitat of natural creek channels, whichever is greater.

5. Modification – Maximum Slope

Add the follow to the end of Section 3.3.4, Hillside and Watershed Protection:

Policy 3-23: Greenhouses and greenhouse related development shall be prohibited on slopes in excess of 5 percent within the Carpinteria Valley on parcels in Area B in order to protect scenic resources, water quality, and community character, and reduce landform alteration.

6. Modification – Prime Agricultural Soils

Add the follow to the end of Section 3.8, Agriculture:

Policy 8-11: The following requirements shall apply to greenhouse and greenhouse related development within the Carpinteria Valley to protect the long-term productivity of prime agricultural soils:

a. Greenhouse operations on prime agricultural soils shall use in-soil cultivation methods to the extent feasible.

b. Greenhouses on prime agricultural soils shall not disturb or cover the ground surface with permeable or impervious materials, other than the pots, trays, tables, etc. that are directly related to the growing method.

1. Materials including, but not limited to, concrete, sand, gravel, asphalt, and plastic sheeting, shall be prohibited on the ground surface within the interior of greenhouses on prime agricultural soils.

2. Prime agricultural soils shall not be compacted using construction equipment within the footprint of the interior of greenhouses.

3. Prime agricultural soils shall not be modified with sterilants or other chemicals that would adversely affect the productivity of the soil.

4. The removal of prime agricultural soils shall be prohibited, including removal of indigenous prime soils used as a growing medium for container plants which are sold intact.

c. Greenhouses on prime agricultural soils shall not be converted in design to disturb or cover the ground surface with permeable or impervious materials, other than the pots, trays, tables, etc. that are directly related to the growing method, consistent with the provisions of Policy 8-11(b).

7. Modification – Subdivision Intensification

Add the follow to the end of Section 3.8, Agriculture:

Policy 8-12: No increase in greenhouse or greenhouse related development entitlement shall result from divisions or redivisions of land, redesignations or rezonings of AG-I or AG-II, or other land uses, subsequent to the date of Commission action on LCP amendment STB-MAJ-2-02.

V. SUGGESTED MODIFICATIONS ON THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO)

The staff recommends the Commission certify the following, with the modifications as shown below. The proposed amended language to the certified LCP Implementation Plan is shown in straight type. Language recommended by Commission staff to be ~~deleted~~ is shown in ~~line-out~~. Language proposed by Commission staff to be inserted is shown underlined. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in italics.

8. Modification – Area Boundaries

Carpinteria Agricultural District Overlay Map

The Carpinteria Agricultural District Overlay Map shall be modified to reflect the low build alternative identified in the Final Environmental Impact Report and attached as Exhibit 15a to this staff report. Area A shall be equivalent to the AG-I-CARP zone district and Area B shall be equivalent to the AG-I-OF zone district as illustrated in Exhibit 15a.

The Carpinteria Agricultural District Overlay Map shall be modified to illustrate that all AG-I parcels that are not identified as Area A shall be designated as Area B.

The Carpinteria Agricultural District Overlay Map shall be modified to illustrate the eleven (11) view corridor parcels identified in the Final Board of Supervisor's approval, as shown in Exhibit 12.

9. Modification – Overlay District Applicability

Sec. 35-102E.2. Applicability and District Boundaries.

The provisions of this overlay district that apply to greenhouses shall also apply to shade structures and hoop structures unless expressly stated otherwise. The provisions of this overlay district shall apply to AG-I zoned lands in the coastal zone of the Carpinteria Valley. The Carpinteria Agricultural Overlay District identifies areas where future development of greenhouses shall be regulated in accordance with this overlay district.

Area A allows future expansion of greenhouses, greenhouse related development, packing and shipping facilities, shade structures and hoop structures, on AG-I zoned lands as identified by the Carpinteria Agricultural Overlay District map, subject to the provisions of this overlay district. Area A is generally located south of Highway 192, east of Nidever Road and west of Linden Avenue as identified by the Carpinteria Agricultural Overlay District map.

10. Modification – Development Cap

Sec. 35-102E.4. Development Cap for Greenhouses and Greenhouse Related Development.

Within Area A of the CA Overlay District, no more than ~~2.75~~ 2.2 million square feet of ~~new~~ greenhouses; and greenhouse related development, ~~and hoop structures may occur~~ shall be permitted after the date of adoption of this overlay district. For the purpose of calculating this development cap, all greenhouses, packing and shipping facilities, hoop structures, and greenhouse related development (including associated

paved parking and driveways, and associated accessory structures [e.g. boiler rooms, storage sheds, etc.]) shall be included. Shade structures shall not be calculated towards the cap. ~~Unpermitted structures which are legalized during the amnesty period (Sec. 35-102E.7.2) shall not be counted towards the cap.~~

11. Modification – Processing

Sec. 35-102E.5. *Processing.*

1. The following types of development shall require a Coastal Development Permit (Sec. 35-169):

...

- c. Minor alterations or additions to an existing greenhouse, packing and shipping facility, or related development, including retrofits of aging structures, if such alterations and additions meet the requirements of this overlay district and all of the following applicable criteria:
 - i. The existing structure(s) shall be legally permitted.
 - ii. Alterations shall not conflict with project conditions of approval for the existing structure.
 - iii. Alterations to existing structures shall not reduce the effectiveness of existing landscape screening, result in the removal of specimen trees, or disrupt environmentally sensitive areas.
 - iv. Alterations shall incorporate the applicable development standards set forth in Sec. 35-102E.9.
 - v. Additions shall not result in a cumulative lot coverage of more than 20,000 square feet or more, or in and additions shall be a maximum an increase of 1,000 square feet or 5% of building coverage of all existing structures, whichever is less.

2. The following types of development shall require a Development Plan (Sec. 35-174) and a Coastal Development Permit (Sec. 35-169):

- a. In Area A, development of new greenhouses, greenhouse related development, packing and shipping facilities, additions or alterations to existing greenhouses or greenhouse related development, and conversions of shade or hoop structures to greenhouses or greenhouse related development, where the cumulative lot coverage would total 20,000 square feet or more (see Section 35-102E.5.3 for additional requirements for packing and shipping facilities).
- b. In Area A, development of new shade structures or hoop structures, where the cumulative lot coverage would total 20,000 square feet or more.

12. Modification – Submittal Requirements

Sec. 35-102E.6. Submittal Requirements

1. In addition to the application requirements of Sec. 35-169, applications for a coastal development permit for any greenhouse, greenhouse related development, packing and shipping facilities, and/or shade or hoop structure in the CA Overlay District shall include:
 - a. A complete listing of the types, ~~and~~ quantities and frequencies of chemicals (fertilizers, salts, corrosion inhibitors, etc.) that are expected to be used in the greenhouse operation.
 - b. A statement of cultivation method.
 - c. A map (US Geologic Survey 7-1/2 minute series topographic map) showing the location of water wells within ½ mile radius of the proposed project and the location of any surface waters or drainage ways within ½ mile of the project site.
 - d. Soil types present within the proposed building location, and total amount of grading (cut and fill).
 - e. Determination of the extent and location of prime agricultural soils (pursuant to the definition of prime agricultural lands in Section 35-58 of the Zoning Code) in the project area.
 - ~~f~~e. A description of the proposed domestic waste disposal system. Percolation tests shall be required for new septic systems. For existing septic systems that are a part of the project description, a certification from a qualified inspector demonstrating that the system is adequate to serve existing and proposed uses.
 - ~~g~~f. A plot plan depicting building footprints, driveways/access roads, parking, loading docks, retention basin, finished building elevations and roof panel orientation. Building and drainage plans shall be submitted to Flood Control District for review.
 - ~~h~~g. A landscape plan to consist of the components listed in Sec. 35-102E.9.
 - i. A water quality management plan to consist of the components listed in Sec. 35-102E.9.
2. In addition to the application requirements in item 1 above and Sec. 35-174 (Development Plans), applications for a development plan or conditional use permit for any greenhouse, greenhouse related development, and/or hoop structure in the CA Overlay District shall include the items below. These items may not be required for a new shade structure with no other greenhouse development on site.

- ~~a. A water quality management plan to consist of the components listed in Sec. 35-102E.9.~~
- a. ~~b.~~ A Traffic Management Plan to consist of the components listed in Sec. 35-102E.9.

13. Modification – Lot Coverage

Sec. 35-102E.8. *General Requirements*

1. Lot Coverage

Lot coverage shall include all greenhouses, shade and hoop structures, packing and shipping facilities, and greenhouse related development, including accessory buildings, and associated paved driveways and parking areas.

~~b. For parcels identified as view corridor parcels on the Carpinteria Agricultural Overlay District map, lot coverage shall not exceed 25% net lot coverage. Development shall be clustered adjacent to existing greenhouse development to the greatest extent feasible.~~

a. The maximum cumulative lot coverage shall be 65 percent.

b. In Area B, the maximum cumulative lot coverage shall be 20,000 square feet.

14. Modification – Maximum Slope

Sec. 35-102E.8. *General Requirements*

4. Maximum Slope

a. In Area B, greenhouses and greenhouse related development shall be prohibited on slopes in excess of 5 percent.

15. Modification – Prime Agricultural Soils

Sec. 35-102E.8. *General Requirements*

5. Prime Agricultural Soils

a. Greenhouse operations on prime agricultural soils shall use in-soil cultivation methods to the extent feasible.

b. Greenhouses on prime agricultural soils shall not disturb or cover the ground surface with permeable or impervious materials, other than the pots, trays, tables, etc. that are directly related to the growing method.

1. Materials including, but not limited to, concrete, sand, gravel, asphalt, and plastic sheeting, shall be prohibited on the ground surface within the interior of greenhouses on prime agricultural soils.

2. Prime agricultural soils shall not be compacted using construction equipment within the footprint of the interior of greenhouses.

3. Prime agricultural soils shall not be modified with sterilants or other chemicals that would adversely affect the productivity of the soil.

4. The removal of prime agricultural soils shall be prohibited, including removal of indigenous prime soils used as a growing medium for container plants which are sold intact.

c. Greenhouses on prime agricultural soils shall not be converted in design to disturb or cover the ground surface with permeable or impervious materials, other than the pots, trays, tables, etc. that are directly related to the growing method, consistent with the provisions of Policy 8-11(b).

16. Modification – Nonconforming Uses

Sec. 35-102E.3. Effect of the CA Overlay District.

Within the CA Overlay District, all uses of land shall comply with regulations of the base zone district (AG-I). ~~In Areas A and B legally permitted greenhouses, greenhouse related development, shade structures and hoop structures existing on the effective date of ordinance adoption will be considered conforming uses.~~ New or altered greenhouses and greenhouse related development, packing and shipping facilities, shade structures and hoop structures in the Carpinteria Valley must comply with the regulations of this CA Overlay District before the issuance of a coastal development permit under Sec. 35-169. If any of the provisions of this overlay district conflict with the provisions of base zoning district regulations, the provisions that are most restrictive shall govern.

17. Modification – Nonconforming Structures CA Overlay District

Sec. 35-102E.7. Conforming and Nonconforming Structures

1. As of the effective date of ordinance adoption, all existing greenhouses, shade and hoop structures, and greenhouse related development in both Areas A and B are considered conforming structures, provided such structures were legally approved and constructed and are consistent with the provisions set forth in this overlay district.
2. Structures that were legally approved and constructed but are not consistent with the provisions set forth in this overlay district are considered nonconforming structures. ~~In Area B, greenhouses, shade and hoop structures, and greenhouse related development of 20,000 square feet or more, and legally approved and~~

~~constructed prior to date of adoption of this ordinance, are considered conforming structures if they meet all other requirements of this overlay district.~~

3. Greenhouses and related structures that do not conform to the provisions of this overlay district, but are otherwise conforming uses (i.e. legally permitted as of the effective date of ordinance adoption), shall be subject to the provisions contained in Division 10. Sec. 35-162 (Nonconforming Buildings and Structures).
4. In Area B, nonconforming greenhouses and greenhouse related development shall not be enlarged, extended, moved, or structurally altered to allow cumulative development in excess of 20,000 square feet. For existing nonconforming greenhouse development that was legally approved and constructed at greater than 20,000 square feet, the structures shall not be enlarged, extended, moved, or structurally altered beyond the existing development footprint.
5. Demolition and reconstruction that results in the demolition of more than 50 percent of the exterior walls of the structures on the lot with non-conforming greenhouse or greenhouse related development shall not be permitted unless the structures on the lot are brought into conformance with the provisions of the CA Overlay District.

18. Modification – Nonconforming Structures Zoning Code

Sec. 35-162. Nonconforming Buildings and Structures

Sec. 35-162.2.

- e. Where damage to a nonconforming greenhouse, packing and shipping facility, shade and hoop structure, or greenhouse related structure in the Carpinteria Agricultural Overlay District, by fire, flood, earthquake, or other natural disaster, is to an extent of seventy-five (75) percent or more, such structure may be reconstructed to the same or lesser size in accordance with the provisions of Sec. 35-102E (CA), ~~thereby becoming a conforming structure.~~

19. Modification – Amnesty for Unpermitted Greenhouses

Sec. 35-102E.7 Conforming and Nonconforming Structures

2. Amnesty Period for Existing Unpermitted Structures.

Existing unpermitted greenhouses, shade and hoop structures and greenhouse related development, which were constructed prior to April 22, 1999, may be legalized through application for a development permit if such structures conform to the provisions set forth in this overlay district. Application for such permits must be made on or before two years after the effective date of adoption of this ordinance. Structures that are legalized during the amnesty period shall ~~not~~ be counted towards the ~~2.75~~ 2.2 million square foot development cap (Sec. 35-102E.4) on greenhouses and greenhouse related development.

20. Modification – Development Standards Landscaping

Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

A. Prior to approval of a coastal development permit for any greenhouse, related development, packing and shipping facility, shade or hoop structure, within the CA Overlay District, the proposed development shall meet the following development standards where applicable.

1. A landscaping plan shall be required which provides, to the maximum extent feasible, visual screening of all structures and parking areas from all adjacent public roads and view corridors. The landscape plan shall include the following:

- a. The landscaping plan shall consist of plants which will reasonably screen the development within 5 years and which are compatible with the surrounding visual character of the area.
- b. Landscaping within front setbacks shall gradually increase in height away from public roadways. Solid wall fencing shall not be relied upon as a primary means of screening. Solid wall or chain-link security fencing shall be setback from public roads, and placed adjacent to the development to be screened, to the maximum extent feasible. Solid wall or dark chain-link security fencing shall be screened from public view corridors by dense landscaping and/or covered with attractive climbing vines.
- c. Where structures are proposed in existing orchards or adjacent to wind rows, perimeter trees shall be preserved to the maximum extent feasible in order to provide visual screening along adjacent public roadways. Remnant orchard trees shall be maintained in good condition to ensure that trees do not become hosts for pests or diseases.
- d. Landscaping, fences, and walls shall not impede views of scenic areas from scenic roads, parks, beaches, or other public viewing areas.

Landscaping shall be maintained for the life of the project. The applicant shall post a performance security to ensure that landscaping provides adequate screening within five (5) years. If landscaping is removed or substantially altered, a revised landscape plan shall be submitted to P&D for substantial conformity review with the original conditions of approval and replacement landscaping shall be installed and maintained.

21. Modification – Visual Resources

The following shall be added to the end of Subsection A of Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

18. Greenhouse development shall be sited and designed to minimize adverse impacts on scenic areas, and public views of the ridgelines and natural features visible from scenic public roadways and scenic viewing areas to the maximum extent feasible. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas and public views of ridgeline and natural features visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, reducing maximum height standards, breaking up the mass of new structures, clustering new structures with existing greenhouse development along the edges of the properties to maintain maximum through-view corridor, and incorporating landscape elements.

19. Avoidance of impacts to visual resources through site selection and design alternatives is the preferred method over landscape screening. Landscape screening, as mitigation of visual impacts shall not substitute for project alternatives including re-siting, or reducing the height or bulk of the greenhouse development.

Update Numbering Sequence for Subsection A and Subsection B.

22. Modification – Development Standards Water Quality

Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

~~2. Unless otherwise exempted by the Flood Control District,~~ aAll new greenhouse development and greenhouse related development, except for shade structures, packing and shipping facilities shall be required to mitigate for increased storm water runoff from development of the project site. Post-development peak runoff rate shall not exceed 75% of the calculated pre-development peak runoff rate for 5-100 year events. Where required, retention basins and other storm water drainage facilities shall be designed in conformance with the County Flood Control District and County Water Agency standards and guidelines.

3. Where wastewater flows from new greenhouse development, greenhouse related development, except for shade structures, and packing and shipping facilities are proposed to be disposed through a private septic system, adequate undeveloped area shall be maintained to accommodate the septic system components, including 100% expansion areas, and required setbacks from buildings, property lines, wells, storm water retention facilities, streams, etc. No development shall be placed above the septic system components.

4. Compost, fertilizer and pesticides shall be stored in a manner that minimizes generation of leachate and polluted runoff. The storage area must have a roof or

~~awning to minimize the collection of stormwater. In addition, Leachate controls include covering compost piles and fertilizer storage with a roof and areas shall be locating located storage areas outside of the 100-year flood plain. Uncovered storage areas shall be located at least 250 feet from a waterway (i.e., storm drain, creek, salt marsh or ocean) unless it can be demonstrated that no adverse effect on water quality will result. Should any discharge occur that could impair the water quality of the receiving body, then a discharge permit will be required from the Regional Water Quality Control Board.~~

5. The Carpinteria-Summerland Fire Protection District shall review and approve storage areas for pesticides, herbicides and fertilizers. Storage areas shall be designed with the following mandatory components, and or other requirements deemed necessary by the District:

- a. A low berm shall be designated around the interior floor to prevent migration of materials in the event of a spill. Any spilled material shall be disposed of in accordance with Carpinteria-Summerland Fire Protection District requirements.
- b. The floor shall be a concrete slab.
- c. The storage area must have a roof or awning to minimize the collection of stormwater within the containment area.
- d. The berm shall be designed to provide 100% containment of any stored liquids in the event of a spill.
- e. In the event that storage, handling or use of hazardous materials within the provisions of AB 2185/2187 occurs on site, the applicant shall implement a Hazardous Materials Business Plan (HMBP).

6. High saline brines shall not be discharged to the storm drain or allowed to percolate into the groundwater unless it can be demonstrated that no adverse effect on water quality will result. Waste brine shall be contained and disposed of in accordance with federal, state, county and local regulations and requirements. ~~Should any discharge occur that could impair the water quality of the receiving body~~If any discharge of high saline brines is proposed, then a discharge permit will be required from the Regional Water Quality Control Board.

9. To the maximum extent feasible, hardscaped areas (i.e., parking lots, driveways, loading bays, interior walkways in greenhouses, packing and shipping facilities, and accessory building footprints) shall be minimized in order to preserve the maximum amount of agricultural soils and reduce the potential for adverse impacts to water quality.

The following shall be added to the end of Subsection A of Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

20. Greenhouse development and greenhouse related development less than 20,000 square feet shall be required to implement post-construction structural treatment control Best Management Practices (BMPs) if determined necessary by the County on a case-by-case basis. All greenhouse development and greenhouse related development 20,000 square feet or more shall be required to implement post-construction structural treatment control BMPs. Where required, these post-construction structural treatment control BMPs shall be designed and installed according to County Flood Control District and County Water Agency standards and guidelines, including accommodating rainfall events up to 1.2 inches in volume or 0.3 inches per hour. These post-construction structural treatment control BMPs can be stand-alone devices or integrated into the storm water drainage facilities used to control the 5-100 year events as described in Sec. 35-102E.9.2.

The following shall be moved from Subsection B of Sec. 35-102E.9. to the end of Subsection A of Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

2021. Applicants shall prepare a Water Quality Management Plan for review and approval by Planning and Development and consultation by Environmental Health Services, the County Water Agency, the Regional Water Quality Control Board and the Carpinteria Valley Water District. The Water Quality Management Plan shall consist of the following components:

- a. An erosion and sediment control plan, including a description of BMPs that will be implemented during the construction phase of development to prevent water quality degradation.
- b. The location, description and design of all post-construction structural treatment control BMPs.
- c. A flow diagram of the proposed water system to be used, including average and maximum daily flows.
- d. The mapped location of all existing and proposed surface and sub-surface drainage facilities.
- e. Information on the proposed water and nutrient delivery systems, specifying water conservation measures and a comprehensive nutrient management plan designed to minimize nutrient loss.
- f. Pesticide Best Management Practices that minimize the use of pesticides as defined and required by the County Agricultural Commissioner, University of California Cooperative Extension, and the Natural Resources Conservation Service.

- g. The location and type of treatment and disposal facilities for irrigation, washwater, boiler blowdown, water softener regeneration brines, and retention basins.
- h. Best Management Practices (BMPs) designed to eliminate or minimize irrigation runoff and polluted runoff, including but not limited to the following:
 - i) Use of water systems that minimize surface water transport (i.e., trickle, drip, mist, hydroponic irrigation systems).
 - iii) Use of water and nutrient recycling technologies.
 - iv) Use of soil conservation techniques and structural and/or nonstructural BMPs that reduce erosion and sedimentation and remove solids and associated pollutants in runoff.
 - v) Employment of fertilization methods that maximize the efficiency of nutrient delivery and uptake such as controlled-release fertilizers (CRF) or liquid fertilizer (LF).
 - vi) Implementation of Integrated Pest Management techniques.

All greenhouse development and greenhouse related development should implement measures to eliminate the need for discharge of wastewater (i.e. irrigation runoff). Should any discharge occur that could impair the water quality of the receiving body, if any discharge of wastewater is proposed, then a discharge permit will be required from the Regional Water Quality Control Board. These types of permits typically include specific requirements for the make-up of the discharge (i.e. numerical limits for different pollutants), as well as monitoring and reporting requirements. These types of permits typically don't require particular BMPs, but suggest BMP alternatives that can be implemented to meet the requirements of the permit.

The approved Water Quality Management Plan shall be implemented by the applicant for the proposed greenhouse development and greenhouse related development.

2422. Irrigation Water Detention System: If deemed necessary by Planning and Development, in consultation with the Regional Water Quality Control Board, to further reduce potential water quality impacts, all excess surface irrigation process water shall be collected and routed to a sealed bottom, irrigation water detention basin. The detention basin shall function as a water bank during low rainfall periods (i.e. ~~May-April~~ to November) for water conservation and reuse. The irrigation water detention basin shall be separate from and not connected to any required flood control retention basin. The irrigation water detention basin shall be designed in accordance with Santa Barbara County Flood Control and Water Conservation District and County Water Agency requirements.

~~2223. Applicants shall reimburse the Carpinteria Valley Water District (CVWD) shall determine, pursuant to adopted criteria, the necessary groundwater testing and reporting required to monitor nitrate loading of groundwater caused by the applicant's development. for costs related to additional groundwater testing and reporting as deemed necessary by CVWD, pursuant to adopted criteria, to monitor nitrate loading of groundwater caused by applicant's development. The applicant shall install any monitoring wells as required by CVWD, or shall reimburse CVWD for the cost of installation of these wells. The applicant shall conduct groundwater testing and reporting as required by CVWD, or shall reimburse CVWD for the cost of this testing and reporting. Said costs may also include those caused by the installation of monitoring wells deemed necessary by CVWD. All monitoring data and reports prepared by CVWD shall be submitted as public record to the CVWD Board of Directors and the County Planning & Development Department. Nitrate loading found to be in excess of District standards, as a result of the groundwater testing conducted or required by CVWD, shall cause a subsequent review of the greenhouse facility and operations by CVWD, in consultation with Planning & Development. All subsequent review costs shall be paid for by the applicant. If District standards continue to be exceeded, the applicant must implement a plan, approved by CVWD and the County, to modify its operations to address the nitrate loading. In addition, CVWD may take enforcement action. Compliance with the requirements of this paragraph shall be imposed as a condition of approval of the CDP.~~

Update numbering sequence for Subsection A and Subsection B.

23. Modification – Development Standards for Residential Setbacks

15. To the maximum extent feasible, packing and distribution facilities, loading docks, and delivery bays shall be centrally located within individual greenhouse operations. When packing and distribution facilities are centrally located, the driveway to reach such a facility shall not be counted toward the CA Overlay development cap. Idling of trucks shall be prohibited between the hours of 9:00 p.m. and 7:00 a.m. A minimum 100-foot setback shall be maintained between loading/unloading areas, driveways and parking areas and adjacent residential properties ~~unless it can be determined that shielding or other measures can provide sufficient attenuation to reduce noise at the property line to less than 65 dB(A) CNEL.~~

24. Modification – Abandonment

The following shall be added to the end of Subsection A of Sec. 35-102E.9. Development Standards for Greenhouse and Related Development

24. Prior to approval of any project, the property owner must sign a written agreement with Santa Barbara County to remove greenhouse or greenhouse related

development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent 1 year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The property owner shall submit an application for demolition of the applicable development and the removal shall occur within 180 days of issuance of a coastal development permit for removal.

Update the Number Sequence for Subsection A and B of Section 35-102E.9 correspondingly.

VI. FINDINGS FOR DENIAL AS SUBMITTED AND APPROVAL OF THE LOCAL COASTAL PROGRAM IF MODIFIED AS SUGGESTED

The following findings support the Commission's denial of the LCP amendment as submitted, and approval of the LCP amendment if modified as indicated in Section IV and V (*Suggested Modifications*) above. The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION

Santa Barbara County is requesting an amendment to the Land Use Plan and Implementation Plan portions of its certified Local Coastal Program (LCP) to modify greenhouse policies and add an overlay district to all agricultural parcels zoned AG-I within the unincorporated areas of the coastal zone of the Carpinteria Valley (Exhibit 10 and 11) to regulate greenhouses and greenhouse related development, which includes packing and shipping facilities, and shade and hoop structures.

The overlay district is applied differently in Area "A" and Area "B" of the overlay district. Area "A" of the Carpinteria Agricultural (CA) Overlay District encompasses 88 parcels (approximately 664 acres) of AG-I zoned land located south of Highway 192, east of Nidever Road and west of Linden Avenue (Exhibit 16). Area A allows for future expansion of greenhouses and greenhouse related development with a development cap of 2.75 million sq. ft. (63 acres) for all greenhouses and greenhouse-related development, with the exception of shade structures. Without the cap, approximately 8.6 million sq. ft. of additional greenhouse development could occur in Area A based solely on the ability to build out to the applied setback allowances and the 25% maximum lot coverage for view corridor parcels. A total of 14.9 million square feet of greenhouse and greenhouse related development on approximately 750 acres is estimated to be present within the Carpinteria Valley. The County estimates that approximately 9.1 million sq. ft. of that amount is located south of State Highway 192 between Nidever Road and Linden Avenue (Area A). Under this amendment, 2.75 million sq. ft. of additional greenhouse and greenhouse related development is proposed over the 664 acres comprising Area A. The revised Final EIR (February 2002) states "Area A provides a logical greenhouse expansion boundary for the continuation of highly productive coastal agriculture opportunities, while preserving the scenic values and rural character of the Carpinteria Valley."

Area B of the CA Overlay District is comprised of all remaining parcels not covered by Area A in the Overlay District, encompassing approximately 4,972 acres of AG-I zoned land (Exhibit 12). Area B limits new greenhouses, greenhouse related development,

packing and shipping facilities, shade structures, and hoop structures to *less than 20,000 sq. ft.* of cumulative development per lot.

The County proposes to:

1. Amend the Land Use Plan portion of its LCP: (a) *LUP Policy 8-5* (regarding the identification and mitigation of all significant adverse impacts as a result of greenhouse projects of 20,000 or more square feet); (b) Amend *LUP Policy 8-6* (regarding setback and maximum lot coverage requirements); and (c) Insert additional descriptive text to *Section 4.2.2* describing greenhouse development. (See Exhibit 1)
2. Amend Section 35-58, *Definitions*, of the Zoning Code to define *Greenhouse*, *Greenhouse Related Development*, *Shade Structure*, and *Hoop Structure*. (See Exhibit 2)
3. Amend Section 35-68, *AG-1 Agriculture I*, of the Zoning Code to apply additional regulations to any greenhouse or related development in the Carpinteria Valley pursuant to the Carpinteria Agricultural (CA) Overlay District. (See Exhibit 2)
4. Add Section 35-102E, *CA Carpinteria Agricultural Overlay District*, to the Zoning Code. Section 35-102E establishes (a) the purpose and intent of the CA overlay district; (b) the effect on non-conforming uses; (c) the development cap for greenhouse and greenhouse related development; (d) the processing requirements; (e) submittal requirements; (f) general standards; and (g) specific greenhouse and related development standards. (See Exhibit 2)
5. Amend Section 35-162, *Nonconforming Buildings and Structures*, of the Zoning Code to allow greenhouses, packing and shipping facilities, shade and hoop structures, and greenhouse related development in the CA Overlay District that is damaged by natural disaster, to an extent of 75% or more of the replacement cost at the time of damage, to be reconstructed in accordance with the provisions of Sec. 35-102E thereby becoming conforming structures. (See Exhibit 2)
6. Amend the Zoning Map to add the Carpinteria Agricultural Overlay District. (See Exhibit 3)

1. LUP Amendment

The County proposes to amend Policy 8-5(e) to reference the new Carpinteria Agricultural Overlay District (see Exhibit 1, page 3). The amendment also includes the addition of subsections (f), (g), (h), (i), (j), (k), and (l) to Policy 8-5 (see Exhibit 1, pages 4-6). Policy 8-5(f) requires the County to complete an updated assessment of the effects of the existing greenhouse development on coastal resources, including assessment of surface and groundwater quality, visual resources, prime agricultural soils, and biological studies, prior to processing any amendment to the Carpinteria Agricultural Overlay District or the proposed development cap. The assessment shall include an assessment

of the effectiveness of the County's greenhouse permit process. Policy 8-5(f) also requires the updated assessment to be reviewed by Citizens Advisory Committee and for that Committee to provide recommendation to the Board of Supervisors. Policy 8-5(g) addresses identification of appropriate sites for farm employee housing. Policy 8-5(h) requires the establishment of a Watershed Management Program to protect surface water quality and the ecological functions of the Carpinteria Salt Marsh. Policy 8-5(i) requires the County to coordinate with the Environmental Protection Agency and Regional Water Quality Control Board to establish Total Maximum Daily Loads for nitrates entering Carpinteria Salt Marsh and Carpinteria Creek. Policy 8-5(j) requires contributions towards future interchange improvements where new greenhouse development contributes to peak hour trips at the Santa Monica/Via Real/U.S. 101 northbound ramp interchange or the Linden Avenue/U.S. 101 south bound ramp interchange. Policy 8-5(k) allows for additional investigation and corrective action at two intersections identified as experiencing elevated collision rates, Route 192/Cravens Lane and Route 192/Linden Avenue. Policy 8-5(l) further requires the relocation of a utility pole at Route 192/Casitas Pass Road intersection. Policy 8-5(m) outlines issues related to greenhouses in Carpinteria Valley that must be addressed during the adoption of a Transportation Improvement Plan for the Montecito-Summerland-Carpinteria and Toro Canyon Plan area. The County also proposes to amend Policy 8-6 to specify the lot coverage, height, and setback requirements for greenhouse development within the Carpinteria Agricultural Overlay District.

2. IP/CZO Amendment

The County proposes to insert the following definitions into Section 35-58 of the County Zoning Ordinance:

GREENHOUSE: A structure with permanent structural elements (e.g., footings, foundations, plumbing, electrical wiring, etc.) used for cultivation and to shade or protect plants from climatic variations. Any hothouse or plant protection structure that does not fall within the definition of shade structure or hoop structure shall be included in the definition of greenhouse.

GREENHOUSE RELATED DEVELOPMENT: Permanent development associated with and accessory to greenhouses, shade structures and hoop structures. Such development includes packing and shipping facilities, paved parking and driveways, and associated accessory structures (e.g., boiler rooms, storage sheds, etc.).

SHADE STRUCTURE: A structure consisting of a frame with no permanent structural elements (e.g., footings, foundations, plumbing, electrical wiring, etc.) and a dark, permeable, removable covering (e.g., netting) used to shade plants grown in the soil or in containers upon the soil.

HOOP STRUCTURE: A structures consisting of a light-weight, arched frame with no permanent structural elements (e.g. footings, foundations, plumbing, electrical wiring,

etc.) and an impermeable, removable covering used to protect plants grown in the soil or in containers upon the soil. Includes structures commonly known as berry hoops and hoop houses.

The proposed Carpinteria Agricultural Overlay District is differentiated into two areas, Area “A” allows for intensive greenhouse development and Area “B,” comprised of the remaining agricultural areas, limits cumulative lot coverage of greenhouse development to 20,000 square feet. The proposed overlay district applies greenhouse development requirements with regard to setbacks, height, and lot coverage (see Table 1, below). In addition, the overlay district applies development standards related to water quality, landscaping, lighting and glare, air quality, noise, prime soils, hazards, and traffic.

Table 1. Proposed Greenhouse Requirements for Lot Coverage, Height, and Setbacks.

Lot Coverage	Height	Setbacks
<p>Lot coverage shall include all greenhouses, shade and hoop structures, and greenhouse related development, including accessory buildings, packing and shipping facilities, and associated paved driveways and parking areas.</p> <p>For parcels identified as view corridor parcels on the Carpinteria Agricultural Overlay District map, lot coverage shall not exceed 25% net lot coverage. Development shall be clustered adjacent to existing greenhouse development to the extent feasible.</p>	<p>The maximum absolute height of any greenhouse or greenhouse related development, including packing and shipping facilities, shall be no greater than thirty (30) feet above finished grade. The maximum absolute height of any shade structure or hoop structure shall be no greater than twelve (12) feet above natural grade.</p> <p>Within view corridors the maximum absolute height of any greenhouse or greenhouse related development, including packing and shipping facilities, shall be no greater than twenty-five (25) feet above finished grade.</p>	<p>The following setbacks for greenhouses and related structures shall apply:</p> <p>a. <i>Front</i>: Seventy-five (75) feet from the right of way line of any street. For parcels within identified view corridors, the front setback shall be at least two hundred fifty (250) feet from right of way.</p> <p>b. <i>Side and Rear</i>: Thirty (30) feet from the lot lines on which the building or structure is located.</p> <p>c. <i>Interior Lot</i>: Twenty (20) feet from the lot lines on which the building or structure is located.</p> <p>d. One hundred (100) feet from a residentially zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within fifty (50) feet of the parcel boundary.</p> <p>e. One hundred (100) feet from top-of-bank or edge of riparian habitat of natural creek channels, whichever is greater.</p>

The overlay district defines which greenhouses development projects require a Coastal Development Permit (ministerial under the certified LCP) and which projects require a Coastal Development Permit and a Development Plan (requiring discretionary review by the County). There are special requirements for packing and shipping facilities. These are discussed detail below.

Projects that require a CDP include:

- (1) greenhouse and greenhouse related development with cumulative lot coverage of less than 20,000 sq. ft.
- (2) shade or hoop structures with cumulative lot (cumulative lot coverage includes all greenhouse related development) coverage of less than 20,000 sq. ft.; and
- (3) minor alterations or additions to existing greenhouse or related development, including retrofit of aging structures if structures are:
 - (a) legally permitted;
 - (b) do not conflict with project condition of approval for existing structure;
 - (c) alterations do not reduce effectiveness of landscaping screening, result in the removal of specimen trees, or disrupt ESH;
 - (d) if alterations incorporate all development standards required under the proposed overlay; and
 - (e) if additions do not result in a cumulative lot coverage of 20,000 sq. ft. or more, or an increase of 1,000 sq. ft. or 5% or building coverage of all existing structures, whichever is less.

Projects that require a Development Plan and a CDP include: (1) In Area "A," all new greenhouse and greenhouse related development, additions or alterations to existing greenhouse and greenhouse related development, conversion of shade or hoop structures to greenhouses, where the cumulative lot coverage would total 20,000 sq. ft. or more and (2) In Area "A" development of new shade structures or hoop structures where the cumulative lot coverage would total 20,000 sq. ft. or more.

Packing and shipping facilities, other than the following shall require a Minor Conditional Use Permit. Packing and shipping facilities of less than 5,000 sq. ft. may be processed by a CDP only, provided there are no existing greenhouses or greenhouse related development on the lot.

The proposed CA Overlay also includes provisions to allow existing legally permitted, nonconforming greenhouse development to continue in perpetuity with minor alterations and additions, including retrofit of aging structures. The structures would be encouraged over time to comply with the height and setback requirements, and all applicable development standards of the overlay district. The CA Overlay District requirements provide special consideration for existing greenhouses that are in excess of the 20,000 sq. ft. per parcel cumulative development limit in Area B. The amendment proposes to grandfather the *size* (cumulative lot coverage) of all legally permitted greenhouse development in Area B. Greenhouse development of greater than 20,000 sq. ft. in Area B, which meets all other provisions of the CA Overlay District is considered a conforming structure. Greenhouse development of greater than 20,000 sq. ft. in Area B which does *not* meet the other provisions of the CA Overlay District is considered a nonconforming structure and the property owner would be permitted to: remodel and/or rebuild the

development at the same size in the same general location consistent with the provision of the proposed overlay district; construct minor additions up to a maximum of 1,000 sq. ft.; and rebuild the same size facility in the same general location to meet CA Overlay District requirements if the structure was destroyed (damaged at 75% or more of the replacement cost) by natural disaster.

The proposed amendment includes special provisions for nonconforming structures that are damaged by fire, flood, earthquake or other natural disaster. According to the certified language in the LCP, if the damage is less than 75% of the replacement cost at the time of damage, non-conforming structures may be restored to the same or lesser size in the same general footprint location. Under this amendment, if the damage is more than 75% of the replacement cost at the time of damage, the structure may be reconstructed in accordance with the overlay district requirements, thereby becoming a conforming structure.

The CA Overlay also includes an amnesty program allowing existing unpermitted greenhouse development constructed prior to April 22, 1999 (the date of the Notice of Preparation for the Environmental Impact Report for this project) to be legalized through application for a development permit if such structures conform to the provisions of the overlay district. There is one exception, however, for structures over 20,000 sq. ft. in Area B. These larger developments will be allowed to be same or lesser size providing they meet all other provisions of the overlay district. Under the County's proposal, structures legalized during the two-year amnesty would not be counted towards the development cap.

B. BACKGROUND AND PURPOSE

The Carpinteria Valley Greenhouse Study Area encompasses the majority of the Carpinteria Valley and contains approximately 7,196 acres or 11.2 square miles (see Exhibit 11). The study area is bounded by the Summerland Community Plan boundary to the west, Ventura County to the east (i.e., Rincon Creek), the coastal zone boundary to the north (roughly the 1,000-foot elevation contour) and U.S. Highway 101 to the south. The study area includes the Carpinteria Salt Marsh but excludes the City of Carpinteria with the southern boundary of the study area surrounding the City of Carpinteria. The interface of the City and the study area consists primarily of residential subdivisions, although some commercial/industrial uses also exist in the eastern end of the Valley.

The Carpinteria greenhouse industry has grown rapidly since first introduced in 1962. Starting with approximately 100,000 square feet of greenhouses and related development, greenhouse use grew to three million square feet by 1970, eight million square feet by 1982, and the current 14.9 million square feet in 1999. The majority of greenhouse development has occurred in the western portion of the study area, south of Highway 192, east of Nidever Road, and west of Linden Avenue. In this area, approximately 9.1 million square feet (209 acres) of greenhouses and related facilities

have been developed, which is approximately 60% of the total greenhouse development in the study area.

The demand for new greenhouse space has resulted primarily from the ability of growers to control growing conditions within the structures. Within modern greenhouses, water and fertilizer use, pest control measures, humidity levels, and light exposure can be carefully controlled. This allows growers to produce hard-to-grow plant varieties, increase plant yields, and substantially increase the production value per acre.

According to the Final EIR, the Carpinteria Valley has 42 separate greenhouse growers, producing a variety of crops. The most common product (grown by 40% of greenhouses growers) is cut flowers, which includes chrysanthemums, gerbera daisies, roses, lilies, and numerous other varieties. Orchids are grown by nearly 19% of growers, with 15% of growers devoting their operations to potted plants (flowers, greenery, and herbs) and 15% to landscape and nursery plants. Other products include fruits and vegetables (9%, mostly lettuce, tomatoes, cucumbers), starter plants (1 grower) and a distribution center where plants are transported and sold.

The purpose of the overlay district is to identify the location and intensity of greenhouse development in the Carpinteria Valley where unique public viewsheds, prime agriculture, natural assets and community character require protection under the Coastal Act and the County's certified LCP. The stated intent of the CA Overlay is to designate geographic areas of Agriculture I (AG-I) zoned lands in the Carpinteria Valley appropriate to support future greenhouse development and to designate areas appropriate for the preservation of open field agricultural uses. The intent is to ensure well-designed greenhouse development and limit the loss of open field agricultural areas from piecemeal greenhouse expansion by providing well-crafted development standards that protect the water quality, visual resources, and the rural character of the Carpinteria Valley.

Policy 8-5 of the certified LUP calls for the preparation of a master environmental impact review (MEIR) for the valley to adequately assess the potential individual and cumulative impacts of greenhouse development on coastal resources. This is the County's implementation of the MEIR.

C. PAST COMMISSION ACTION

The location and intensity of greenhouse development has a long and controversial history in the Carpinteria Valley. Greenhouse development in Carpinteria Valley was an important issue discussed during the development of a certified Land Use Plan in the early 1980s. In the revised findings (January 14, 1981), the Commission found:

Greenhouses have far greater adverse impacts on coastal resources than open-field operations; due to associated paving, greenhouses on prime soils do not assure that the maximum amount of prime agricultural land is kept in

production as required by Section 30241 of the Act... because of their greater water use, greenhouses threaten the entire agricultural viability of the Valley by reducing the water supply available for agricultural flexibility and leading to overdraft of the groundwater basin which could result in degraded irrigation water quality, increased pumping costs and increased pressures for imported water which traditional agricultural operations may not be able to afford. Also, because of the large amount of coverage by impervious surfaces, greenhouses can contribute to flooding and limit the ability of the groundwater basin to recharge when constructed in the recharge area. And, finally, because greenhouses tend to appear like industrial buildings, they have an adverse impact on scenic coastal views from public roads in the foothills which cannot be mitigated, whereas open field agriculture generally enhances scenic open space values.

In 1997, the Carpinteria Valley Association (CVA) appealed the County's approval of a 171,000 sq. ft. greenhouse project (Mountain Side Flowers) to the Coastal Commission. In July 1998, the CCC denied the appeal filed by CVA; however, the Commission directed the County to require a Conditional Use Permit (CUP) for all new greenhouse development over 20,000 sq. ft. until a cumulative impact analysis is completed and the CCC formally agrees to any land use designation or policy changes relating to greenhouse development, as required by Policy 8-5(e) of the certified LCP.

The July 1998 letter to the Board of Supervisors from Commission staff clearly states that:

“Until a cumulative impact assessment is completed, and the Commission formally agrees to any land use designation or policy changes relating to greenhouse development,...greenhouse facilities over 20,000 sq. ft. in size must receive a CUP from the County and are appealable to the Commission.”

This Carpinteria Valley Greenhouse Program LCP amendment is in response to the need for a cumulative impact assessment, thereby eliminating the requirement for Conditional Use Permits for greenhouse development over 20,000 sq. ft.

D. AGRICULTURE

3. Coastal Act Policies

Section 30113 of the Coastal Act defines “prime agricultural land” as

...those lands defined in paragraph (1), (2), (3), or (4) of subdivision (c) of Section 51201 of the Government Code.

Section 51201(c) states in relevant part:

“Prime agricultural land” means any of the following:

All land that qualifies for rating as class I or class II in the Natural Resources Conservation Service land use capability classifications.

Land which qualifies for rating 80 through 100 in the Storie Index Rating.

Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.

Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre.

Section 30241 of the Coastal Act states:

The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

Section 30242 of the Coastal Act states:

All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250 such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

Section 30243 of the Coastal Act states:

The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

4. Existing LUP Policies

Policy 8-5 of the LUP states:

All greenhouse projects of 20,000 or more square feet and all additions to existing greenhouse development, i.e., greenhouse expansion, packing sheds, or other development for a total of existing and additions of 20,000 or more square feet, shall be subject to County discretionary approval and, therefore, subject to environmental review under County CEQA guidelines.

Prior to issuance of a development permit, the County shall make the findings based on information provided by environmental documents, staff analysis, and the applicant that all significant adverse impacts of the development as addressed in paragraphs “a” through “e” below have been identified and mitigated.

Action

The County Resource Management Department shall develop procedures and standards for the environmental impact analysis of greenhouse developments. This action is necessary to ensure that all significant adverse impacts on coastal resources are identified and that mitigation measures are attached to projects as a condition of approval to mitigate individual and cumulative impacts. Such guidelines shall include an evaluation of the following factors for each project:

- a. An assessment of the individual and cumulative increases in the amount and rate of runoff that would be caused by the proposed project and the potential impact on downstream watercourses. Mitigating measures shall be required to prevent runoff waters from entering overburdened water courses by directing runoff to water courses capable of handling the increased flow, or to collect the runoff and provide for drainage systems adequate to handle the increased flow.***

- b. If the project is located in a groundwater recharge area, a determination of the amount and rate of recharge that would occur if the site were uncovered and the net loss of recharge that will result from the project. Projects will be required to provide for the net potential loss of recharge that will result from the project through the use of impoundment basin where feasible or other means of collecting, storing, and percolating water for the purpose of recharging the groundwater basin.*
- c. Assessment of the impact of materials used for coverage and amount of coverage on the long-term productivity of soils.*
- d. Assessment of the potential adverse impacts of the project on the water quality of affected water bodies and groundwater basins.*

To this end, the following information shall be required for each greenhouse project:

- 1. the volume of water runoff or discharge during normal operating conditions and during the rainy season of the year.*
- 2. the types and amounts of pesticides and fertilizers contained in the runoff or discharge.*
- 3. the method for disposing of the runoff or discharge, i.e., a drainage plan, irrigation plan, or other means of determining how the runoff will be managed.*

The County shall request the Regional Water Quality Control Board to review each greenhouse project for conformance with applicable State statutes and policies and to recommend mitigating measures where necessary. No discharge shall be permitted into enclosed bays and estuaries unless it can be shown that such discharge will not degrade the quality of the receiving waters. In addition, no detectable level of pesticide shall be discharged into surface waters. Mitigation means may include suspension of the runoff and redirection away from the affected waters, treatment of the runoff to remove toxicants and nutrients present, and/or monitoring of discharge from individual greenhouse projects.

To implement this policy in the Carpinteria Valley, a program for regular monitoring of the water quality of the Carpinteria Marsh and streams affected by greenhouse development shall be established (see also Recommendation 8, paragraph b(1), Section 3.9)

- e. Assessment of the potential adverse impacts of the climate control aspects of the project on air quality.*

In addition to the mitigating measures listed above, other measures necessary to mitigate any adverse impact identified as a result of the evaluation of these and other factors shall be required as a condition of project approval. In order to adequately assess the potential individual ad

cumulative impacts of greenhouse development on the coastal resources of the Carpinteria Valley, the County should conduct a master environmental impact assessment for the Valley to determine the level of greenhouse development that the Valley's resources can support without experiencing adverse environmental impacts. The County shall seek funding for the preparation of the master environmental impact assessment during the implementation phase of the Local Coastal Program. If the master environmental impact assessment is not completed within three years of the certification of the County's land use plan, greenhouse development (as regulated by Policy 8-5) shall automatically become a conditional use on Agriculture I designated land in the Carpinteria Valley. If, however, the County and Coastal Commission agree on land use designation or policy changes based on the County's assessment of adverse environmental impacts of greenhouses gathered through the permit process, conditional use permits shall not be required for greenhouse development.

Policy 8-6 states:

No greenhouse, hothouse, or accessory structures shall be located closer than 50 feet from the boundary line of a lot zoned residential. In addition, setback and maximum lot coverage requirements shall be as follows:

<u>Parcel Size</u>	<u>Setbacks</u>	<u>Maximum Lot Coverage for All Structures</u>
Less than 5 acres	30 feet from the right-of-way of any street and 20 feet from the lot lines of the parcel on which the greenhouse is located	75 percent
5 to 9.99 acres	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	70 percent
10 acres or more	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	65 percent

Policy 8-7 states:

Landscaping and screening shall be installed within six months of completion of new greenhouses and/or accessory buildings. Such landscaping shall reasonably block the view of greenhouse structures and parking areas from the nearest public road(s) within five years of project completion.

5. Existing IP/CZO Provisions

Sec. 35-68.7 Setbacks for Buildings and Structures for AG-I Zone District

1. Front: Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of any street.

2. Side and Rear: Twenty (20) feet from the lot lines of the lot on which the building or structure is located.

3. Lots that contain one gross acre or less shall be subject to the setback regulations of the R-1/E-1 Single Family Residential District.

4. In addition, no hothouse, greenhouse, other plant protection, or related structure shall be located within thirty (30) feet of the right-of-way line of any street nor within fifty (50) feet of the lot line of a lot zoned residential. On lots containing five (5) or more gross acres, an additional setback of thirty (30) feet from the lot lines of the lot on which the structure is located is required.

Sec. 35-68.8 Lot Coverage for AG-I Zone District

The maximum net lot coverage for all hothouses, greenhouses, and other plant protection structures shall be as follows:

<u>Lot Size</u>	<u>Maximum Lot Coverage</u>
Less than 5 acres	75 percent
5 to 9.99 acres	70 percent
10 acre or more	65 percent

Sec. 35-68.9 Height Limit for AG-I Zone District

No building or structure shall exceed a height of thirty-five (35) feet.

Sec. 35-68.11 Landscaping for AG-I Zone District

None, except that for commercial hothouses, greenhouses, or other plant protection structures, or as otherwise required in the provisions of this district, a landscaping plan must be approved by the Planning and Development Department. Said plan shall include landscaping which, within five years, will reasonably block the view of said structures and on-site parking areas from the nearest public road(s). Said plan shall also include landscaping along all streets. The landscaping plan shall consist of plant material and said plant material shall be compatible with plants grown on the property. All landscaping shall be installed within six months of project completion.

Prior to the issuance of any permits, a performance security, in an amount determined by the Planning and Development Department, to insure installation and maintenance for two years, shall be filed with the Clerk of the Board of Supervisors. Said performance security shall be released by said Clerk upon a written statement from the County Planning and Development Department that

the landscaping, in accordance with the approved landscaping plan has been installed and maintained for two years.

35-169.2 CDP Applicability.

j. The following improvements and structures shall be exempt provided that the parcel on which they are located is not within 300 feet of the edge of a coastal bluff or the inland extent of any beach, or not within or contiguous to an Environmentally Sensitive Habitat (ESH) area:

vii. In the RR, A-I, and A-II districts, agricultural accessory structures that are roofed and supported by posts or poles, do not exceed 500 square feet of roof area, are unenclosed on all sides, and have no plumbing or electrical facilities.

6. Discussion

Most of the parcels within the Carpinteria Valley area have a land use designation of “Agriculture I” and are zoned “Agriculture-I” (AG-I). A range of parcel sizes is permitted in the AG-I zone. Most of the parcels that are zoned AG-I-5 and AG-I-10 (five and ten acre minimum parcel sizes) are located in the central and southern portions of the study area where the topography is generally level. Most of the parcels that are zoned AG-I-20 and AG-I-40 (twenty and forty acre minimum parcel sizes) are located in the northern portion of the study area where the topography is moderately to steeply sloping. Properties within the study area that have agricultural zoning designations comprise approximately 5,600 acres of the 7,196-acre study area.

Land uses in the project study area consist of open field and orchard agricultural operations, greenhouses and related structures, and residences. Throughout the study area, residential uses are located adjacent to agricultural operations. Many of the residences that are adjacent to greenhouses and open field agricultural operations are within the City of Carpinteria, along the southern border of the project study area. Several small residential communities are also located within the study area, including Serena Park, La Mirada, Ocean Oaks, and Shepard Mesa communities. Within and to the north of the study area, there are numerous individual houses that have been developed on lots that are generally five acres or greater in size.

The combination of mild climatic conditions, prime agricultural soils, available water sources, and proximity to major markets, makes the project study area a valuable agricultural resource. The ability to grow a diverse range of high-yield specialty crops, such as avocados, kiwis, cherimoyas, cut flowers, and nursery stock plants, provides growers with the flexibility to respond to market and environmental changes. Greenhouse production is more intensive and efficient than open field production, resulting in a better quality product and higher yields per acre.

Open field agriculture production in the project study area is dominated by avocado orchards. However, the Valley's unique climate also results in the area being one of the State Leaders in high-yield specialty crops including citrus, cherimoyas, passion fruit, kiwis, bananas and other sub-tropical fruits. Numerous small open field operations are located within the Shepard Mesa area in the eastern end of the Valley and are engaged in the viable production of these specialty crops. Numerous open field growers also use the Valley's unique resources to produce high quality cut flowers and nursery products in the lower reaches of the foothills and throughout the valley flat land. This diversity of crops contributes to the overall agricultural productivity of the area by providing growers with the flexibility to respond to market and environmental changes.

Greenhouse development is currently allowed in each of the AG-I zone designations. However, the majority of greenhouse development has occurred on lands zoned AG-I-5 and AG-I-10 since most AG-I-20 and AG-I-40 parcels occur on steep slopes that are not suitable for greenhouse development. The Revised FEIR reports that there are approximately 42 greenhouse growers in the Valley, with farms ranging from small operations (e.g., mostly open fields with one small greenhouse or plant protection structure) to large (entire production in greenhouses). Crop production includes cut flowers and ornamental nursery products including chrysanthemums, gerbera daisies, asters, lilies, orchids and roses, and other products such as potted plants, vegetables, seeds, bulbs, and vegetable seedlings. Greenhouses contribute substantially to the county's overall agricultural production. While occupying less than 0.1 percent of the County's total harvested acreage, Carpinteria Valley greenhouses produce approximately 12 percent of the total agricultural value, or approximately \$76 million annually (Revised FEIR, February 2002 citing 1997 County Agricultural Product Report in SB County, 1999). Greenhouse operations also account for approximately 72 percent of all agricultural employment in the Carpinteria Valley (approximately 913 employees; Revised FEIR, February 2002 citing Carpinteria Economic Profile in SB County, 1999).

The Carpinteria greenhouse industry has grown rapidly since first introduced in 1962. Starting with approximately 100,000 square feet of greenhouses and related development, greenhouse use grew to three million square feet by 1970, eight million square feet by 1982, and the current 14.9 million square feet in 1999. The majority of greenhouse development has occurred in the western portion of the study area, south of Highway 192, east of Nidever Road, and west of Linden Avenue. In this area, approximately 9.1 million square feet (209 acres) of greenhouses and related facilities have been developed, which is approximately 60% of the total greenhouse development in the study area. Table 2, below is excerpted from the Revised FEIR (February 2002) and summarizes the acreage of greenhouse development associated within each zone district:

The Revised FEIR states that it is estimated that approximately 25% of the greenhouses in the project area use hydroponics systems to grow plants (Revised FEIR, February 2002 citing Santa Barbara County, 1999). The use of hydroponics systems is reported to allow the precise application of plant nutrients, require less labor, reduce water use, and

increase plant yields. Other greenhouses in the project study area grow plants in containers, which also results in the production of plant products that do not rely on the use of natural soils resources.

Table 2. Acreage Within Each Zone District (Revised FEIR, February 2002)

Zoning	AG-Zoned Parcels within Study Area		Existing Greenhouse and Related Development on AG-Zoned Parcels						
	No. of Parcels	Acres (approx)	No. of Developed Parcels	Parcel Acres	Greenhouse Development (approx. sf)	Plant Protection Structure	Shade Structure	Accessory Use	Total Square Footage
AG-I-5	49	329	26	196	3,289,000	445,400	425,300	122,900	4,282,600
AG-I-10	388	3500	52	546	8,826,000	507,900	1,020,000	320,800	10,674,700
AG-I-20	3	53	0	0	0	0	0	0	0
AG-I-40	92	1754	0	0	0	0	0	0	0
Totals	526¹	5,636	78	742	12,115,000	953,300	1,445,300	443,700	14,957,300

¹ Six parcels have split zoning (either AG-I-40/10 or AG-I-40/20). These parcels have been incorporated into individual zoning categories in order to demonstrate acreage in each zone district. Therefore, the total number of agriculture parcels is 526 rather than 532.

Unlike open field or orchard operations, greenhouse agriculture requires the construction of permanent structures and a substantial amount of paving and accessory structures. As the greenhouse industry has expanded, this development has resulted in a significant visual change in the rural character of the valley and has raised issues related to increased traffic, flooding potential, groundwater recharge, impacts on the Carpinteria Marsh, and conflicts with adjacent residential uses.

It has been argued by growers that one agricultural use is the same as any other agricultural use, and therefore development of greenhouses should be unlimited within agriculturally zoned lands. However, there is a notable distinction between open field agricultural production and greenhouse agricultural production. Greenhouses and related development have a structural presence that is visually similar to a typical commercial/industrial development rather than the open fields traditionally associated with agriculture. As such, greenhouses and related development are an agricultural use, but also meet the definition of “development,” and must be regulated accordingly.

As proposed, the LCP amendment to the zoning ordinance includes the addition of the Carpinteria Agricultural Overlay District to identify the location and intensity of future greenhouse development of over 20,000 sq. ft. and provide siting and design standards to ensure protection of coastal resources. The proposed amendment would regulate the conversion of open field agriculture to greenhouses and greenhouse-related development (e.g., packing houses, driveways, office space, parking).

The certified LUP includes several policies that provide for the long-term protection of agricultural resources (Exhibit 6). Specifically, the LUP incorporates Section 30241 of the Coastal Act as a guiding principle. Section 30241 requires that the maximum amount of prime agricultural be maintained in agricultural production to protect the area’s

agricultural economy and that conflicts be minimized between agricultural and urban land uses. As mentioned above, greenhouses are considered an agricultural use and therefore greenhouse development maintains agricultural land in production. Even so, Section 30241 requires the *long-term* maintenance of agricultural production and protection of the agricultural economy.

The Carpinteria Valley is uniquely suited to sustain agricultural activities, given the mild year-around temperatures, unique microclimates, extensive areas with prime agricultural soils, available and adequate labor, and excellent solar exposure resulting from its south-facing orientation. The policies of the LUP and Coastal Act require the long-term protection of these agricultural resources and the area's agricultural economy.

The Commission recognizes the need to balance open field agricultural operations with greenhouse development to preserve flexibility and maintain the maximum amount of agriculture in production. For the reasons above, the Commission finds that identifying the location and intensity of future greenhouse development will benefit the long-term agricultural production in the Carpinteria Valley. However, as proposed, the Carpinteria Agricultural Overlay District would allow intensive greenhouse development on two large blocks of remaining open field agricultural operations in the area south of Highway 192 between Nidever Road and Linden Avenue. Each of the parcels comprising these blocks has been identified as important view corridor parcels. These areas were represented in the FEIR as the last vestige of open field agriculture in the central study area that have not yet been infringed upon by urban or greenhouse development. To preserve *long-term* flexibility of agricultural production and maximize the future potential staying power of the local agricultural economy consistent with Section 30241 as incorporated into the LUP, the Commission suggests Modifications One (1) and Eight (8) which require clustering of greenhouse development with existing greenhouse areas, consistent with Section 30250 (See Section G, New Development and Cumulative Impacts, below), thereby avoiding encroachment into these open field agricultural blocks. The Commission further suggests Modifications Two (2), Three (3), and Ten (10) which allow for reduction in the proposed development cap consistent with the clustered greenhouse expansion configuration to minimize cumulative impacts of such development (See Section G, New Development and Cumulative Impacts, below).

The Commission notes that the purpose of the proposed LCP amendment is to identify the location and intensity of greenhouse development in the Carpinteria Valley. In addition to the areas of expansion identified pursuant to Area A, the proposed overlay district allows for a maximum of 20,000 sq. ft. per parcel on all other AG-I zoned lots designated as Area B. As described above, the Commission finds that identifying the location and intensity of future greenhouse development will benefit the long-term agricultural production in the Carpinteria Valley. Future subdivision of AG-I lands would allow further intensification of greenhouse development in Area B because the 20,000 sq. ft limit is assigned on a per parcel basis. Area B is intended to preserve open agricultural operations and the rural character of the Carpinteria Valley. The Commission therefore

finds that the further intensification of Area B through subdivision is contrary to the long-term preservation and flexibility of agricultural production consistent with Section 30241 as incorporated into the LUP. Therefore, the Commission suggests Modification Seven (7) which requires that greenhouse development be approved consistent with the parcels as configured on the date of Commission action on this amendment. Modification 7 does not allow additional greenhouse entitlements as a result of divisions of land or rezoning.

Section 30241 requires the minimization of conflicts between agricultural and urban land uses. Section 30241 (a) through (e) concern the minimization of conflicts and therefore apply to all agricultural lands. Section 30241 (a) requires conflicts be minimized by establishing stable boundaries separating urban and rural areas, including where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban uses.

The urban-rural boundary in the Carpinteria Valley area is coterminous with the limits of the City of Carpinteria at the southern end of the proposed Carpinteria Agricultural Overlay District. The interface of this area is highly developed, primarily with residential uses on the urban side and a significant amount of adjacent greenhouse development on the rural side. The urban-rural boundary in the Carpinteria area is already experiencing significant pressure to allow additional urban growth. This is evidenced by the City of Carpinteria's General Plan and recent comprehensive update of the certified Land Use Plan. In Carpinteria's LCP submittal and pursuant to the General Plan Map (not a certified component of the LCP), the City asserted that four areas adjacent to the city merited inclusion in the city because they are either already developed in urban use or, are a "logical extension" of city boundaries given the existing pattern of development or need for public services. During the Comprehensive Plan update process, the City cited the pressing need for housing as a situation of overriding concern.

The Commission recognizes that the pressure for the City to expand its limits will increase as the demand for housing rises. As the pressure to relocate the urban-rural boundary line continues to build, Coastal Act requirements to preserve and protect the maximum amount of coastal agriculture are increasingly jeopardized. In certain cases, under the Coastal Act, agriculture may be converted where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development. As proposed under this amendment, the County states that restricting major greenhouse development north of Highway 192 and east of Linden Avenue creates a defined, logical greenhouse expansion boundary that maintains development with, and adjacent to, historic clusters and preserves the rural character of the valley. This "logical" boundary essentially dictates the boundary between the structural agricultural associated with greenhouse development and the rural agricultural and foothill area, similar to the concept of the urban-rural boundary for urban and agricultural uses.

As a result of the aforementioned development pressures along the urban-rural boundary in the Carpinteria Valley, the Commission finds that maintaining stable boundaries and clearly defined buffer areas must be maintained to avoid conflicts between agriculture and urban uses. The proposed Overlay District provides additional setbacks from greenhouse development adjacent to residential areas, requiring a one hundred-foot setback from a residentially-zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within 50 feet of the parcel boundary. One provision of the Overlay District makes exception to the setback requirements, such that the minimum one hundred-foot setback need not be maintained between loading/unloading areas, driveways and parking areas and adjacent residential properties if shielding or other measures can provide sufficient attenuation to reduce noise at the property line to less than 65 db(A) CNEL. The Commission finds that there are other considerations besides noise as to the compatibility of greenhouse and residential uses, such as the proximity to pesticides or other greenhouse related chemicals and night lighting. Furthermore, the standard to reduce the 100-foot setback requirement does not state how much the setback may be reduced. To ensure that urban and residential uses do not conflict consistent with Section 30241 of the Coastal Act as incorporated by reference into the certified LUP, the Commission suggests Modification Twenty-three (23) to delete the text that allows a reduction in the 100-foot setback.

Section 30241 of the Coastal Act requires that the maximum amount of prime agricultural land be maintained in agricultural production, and Section 30243 of the Coastal Act states “the long-term productivity of soils...shall be protected...” These policies are incorporated as guiding principles of the certified LUP agricultural policies. Combined, these policies require maximum protection of prime soils and the productivity of these soils. Consistent with past guidance (see Exhibit 4), greenhouses can be interpreted as maintaining agriculture land in production, even if they do not make direct use of the soil, provided that they protect the long-term productivity of the soil and protect the agricultural economy. Greenhouses that put concrete or other hardscape on prime agricultural soil do not protect the agricultural economy because it does not maintain the flexibility of prime agricultural soils to be readily restored to their original productivity level.

Many of the parcels located in the project study area have soils that are classified as being prime (Class I or II) agricultural soils, comprising approximately 1,900 acres of the 7,196-acre study area (Exhibit 12). The remainder of the study area has soils that have been classified as non-prime soils (Class III or IV). Prime agricultural land is determined by four criteria, any of which qualifies the parcel as prime. The first test requires Class I or II soils. The second test requires a Storie Rating Index between 80 and 100. The third test requires the ability to support one livestock animal unit per acre. The fourth test requires land planted with fruit-bearing trees and other crops to return not less than \$200 per acre annually.

The Revised FEIR (February 2002) states that the majority of greenhouse owners cultivate in the native soil, maintaining prime soils in agricultural production. Other

greenhouse operations, depending upon crop type, use containers or hydroponic systems, foregoing the use of native soils. Although greenhouse development is considered an agricultural activity, many greenhouse operations do not grow plants in the ground but rather in pots. Greenhouse operations that do not directly utilize the native soils may adversely impact the underlying soil in a number of ways such as compaction, use of sterilants or other chemicals, or placement of gravel, concrete, or other hardscape within the confines of the greenhouse structures. Structures and hardscape associated with greenhouse operations eliminate use of the soil for agricultural production.

The economy can be protected, in part, by allowing continued flexibility to growers. However, indiscriminate expansion of greenhouse development could actually reduce the long-term flexibility of the agricultural resources by building out the valley with large structures and impervious surfaces. Unlimited greenhouse development would create a structural landscape on agricultural lands, including those that are presently in open field agricultural production. While limited greenhouse development may serve to augment existing open field agricultural, the mass conversion of open field agriculture to greenhouse development may undermine the long-term flexibility of crop types and methods. Though it has been stated that greenhouses can be removed and the open field agricultural operations reinitiated, this is arguably an expensive and time-consuming process. Furthermore the native soils may be modified in a manner that no longer allows them to be readily competitive with respect to agricultural productivity.

The impact of greenhouse development on the productivity of prime soils is specifically addressed in the certified LUP. The LUP states that:

Under the Coastal Act, greenhouses, although an agricultural activity, are also a type of development and must be evaluated in terms of their impact on the long-term productivity of soils and the preservation of an area's agricultural economy. Issues such as the contribution of greenhouses to increased runoff, loss of groundwater recharge, the effects of soil coverage and compaction, and impacts on visual quality need to be addressed.

Greenhouse operations vary in the amount of structural and related land coverage required for production. In the Carpinteria Valley, approximately 60 percent of greenhouse production takes place directly in the underlying soil, the remainder taking place in pots or containers. However, aside from the land reserved for growing, asphalt or concrete coverage is generally used for storage, packing and loading areas, walkways, driveways and parking. The cost of removing greenhouse structures and related coverage can be prohibitive, foreclosing the possibility of returning the land to other types of open field agriculture. In some cases, gravel or sand is substituted as a covering for driveways and parking areas; but this type of coverage can also be detrimental to the future productivity of the soil because of compaction and penetration into the topsoil.

As proposed, the overlay district includes a development standard to minimize the covering of prime soils through effective site and building design and the use of permeable surfaces to the maximum extent feasible. The Commission finds that the requirement to minimize hardscape is not sufficient to maintain and protect the long-term productivity of prime agricultural soils and agricultural economy consistent with Sections 30241 and 30243 of the Coastal Act as incorporated by reference into the certified LUP. To ensure that the long-term productivity of prime agricultural soils are protected, the Commission suggests Modification Six (6) to add LUP Policy 8-11 specifying that greenhouse development use the native soil for cultivation where feasible and that greenhouse development shall not disturb or cover the ground surface within the limits of the greenhouse. Modification 6 further limits the conversion of existing greenhouses on prime agricultural soil to a design that would not disturb or cover the ground surface internal to the greenhouse. In addition, to ensure implementation plan consistency with suggested Modification Six (6), the Commission suggests the identical changes be made to Section 35-102E.8 by adding the prime soil protection provisions to the Article II Zoning Code, pursuant to Modification Fifteen (15).

Additionally, the Commission recognizes that the protection of prime soils will occur during the coastal development permit review process, and that the above policies and modifications can only be effectively implemented if proper evaluation of the soil condition occurs during processing. To ensure that the policies of the certified LCP are effectively implemented, the Commission suggests Modification Twelve (12) to require a determination of the extent and location of prime agricultural soils in the project area, as a submittal requirement.

The Commission further finds that the abandonment of greenhouse structures would contribute to a loss of productive agricultural land inconsistent with Section 30241 of the Coastal Act as incorporated by reference into the certified LUP. To ensure maximum protection of prime agricultural lands and ensure the long-term productivity of soils pursuant to Sections 30241 and 30243 of the Coastal Act, the Commission suggests Modification Twenty-four (24) to require the removal the greenhouse and greenhouse related development if the greenhouse operation is abandoned (not in operation for 24 consecutive months. Specifically, Modification 24 requires that prior to approval of any project, the property owner must sign a written agreement with Santa Barbara County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days by the subsequent 1 year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The property owner shall submit an application for demolition of the applicable development and the removal shall occur within 180 days of issuance of a coastal development permit for removal.

The Commission therefore finds that the proposed overlay district provisions are not consistent with Section 30241, 30242, and 30243 of the Coastal Act, as incorporated into the certified LUP, unless modified as suggested above.

E. SCENIC AND VISUAL RESOURCES

1. Coastal Act Policies

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

2. Existing LUP Policies

Policy 4-2:

All commercial, industrial, planned development, and greenhouse projects shall be required to submit a landscaping plan.

Policy 4-3:

In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public view places.

Policy 4-6:

Signs shall be of size, location, and appearance so as not to detract from scenic areas or views from public roads and other viewing points.

Policy 3-14:

All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the

maximum extent feasible. Areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.

Policy 8-6 states:

No greenhouse, hothouse, or accessory structures shall be located closer than 50 feet from the boundary line of a lot zoned residential. In addition, setback and maximum lot coverage requirements shall be as follows:

<u>Parcel Size</u>	<u>Setbacks</u>	<u>Maximum Lot Coverage for All Structures</u>
Less than 5 acres	30 feet from the right-of-way of any street and 20 feet from the lot lines of the parcel on which the greenhouse is located	75 percent
5 to 9.99 acres	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	70 percent
10 acres or more	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	65 percent

Policy 8-7 states:

Landscaping and screening shall be installed within six months of completion of new greenhouses and/or accessory buildings. Such landscaping shall reasonably block the view of greenhouse structures and parking areas from the nearest public road(s) within five years of project completion.

3. Existing IP/CZO Provisions

Sec. 35-68.7 Setbacks for Buildings and Structures.

- 1. Front: Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of any street.***
- 2. Side and Rear: Twenty (20) feet from the lot lines of the lot on which the building or structure is located.***
- 3. Lots that contain one gross acre or less shall be subject to the setback regulations of the R-1/E-1 Single Family Residential District.***
- 4. In addition, no hothouse, greenhouse, other plant protection, or related structure shall be located within thirty (30) feet of the right-of-way line of any***

street nor within fifty (50) feet of the lot line of a lot zoned residential. On lots containing five (5) or more gross acres, an additional setback of thirty (30) feet from the lot lines of the lot on which the structure is located is required.

Sec. 35-68.8 Lot Coverage.

The maximum net lot coverage for all hothouses, greenhouses, and other plant protection structures shall be as follows:

<u>Lot Size</u>	<u>Maximum Lot Coverage</u>
Less than 5 acres	75 percent
5 to 9.99 acres	70 percent
10 acre or more	65 percent

Sec. 35-68.9 Height Limit.

No building or structure shall exceed a height of thirty-five (35) feet.

Sec. 35-68.11 Landscaping.

None, except that for commercial hothouses, greenhouses, or other plant protection structures, or as otherwise required in the provisions of this district, a landscaping plan must be approved by the Planning and Development Department. Said plan shall include landscaping which, within five years, will reasonably block the view of said structures and on-site parking areas from the nearest public road(s). Said plan shall also include landscaping along all streets. The landscaping plan shall consist of plant material and said plant material shall be compatible with plants grown on the property. All landscaping shall be installed within six months of project completion.

Prior to the issuance of any permits, a performance security, in an amount determined by the Planning and Development Department, to insure installation and maintenance for two years, shall be filed with the Clerk of the Board of Supervisors. Said performance security shall be released by said Clerk upon a written statement from the County Planning and Development Department that the landscaping, in accordance with the approved landscaping plan has been installed and maintained for two years.

4. Discussion

The Carpinteria Greenhouse Program study area (Exhibit 11) encompasses most of the Carpinteria Valley, which is a long, narrow coastal plain located between the Pacific Ocean and the Santa Ynez Mountains. The Santa Ynez Mountains border the study area to the north and views of the mid- and upper- elevations of the mountains are available from locations throughout the region. The Pacific Ocean and the Carpinteria Marsh are located on the southern border of the project area.

Agricultural operations within the study area include a mix of open fields, orchards, and greenhouse developments. Unlike open field or orchard operations, greenhouse agriculture requires the construction of permanent structures and a substantial amount of paving and accessory structures. As the greenhouse industry has expanded, this development has resulted in a significant visual change in the rural character of the valley. As mentioned previously, there is a notable distinction between open field agricultural production and greenhouse agricultural production. Greenhouses and related development have a significant structural component similar to a typical commercial/industrial development, rather than the traditional association of open field agriculture.

Greenhouses are typically constructed using a light-colored, opaque glass, plastic or fiberglass material to cover a frame structure. Sunlight reflecting off greenhouse roofs can generate a substantial amount of glare. Night lighting is often used in greenhouses to assist in the growth of plants. During the development of a plant crop, the lights may be used over a 6-7 week period, for approximately six hours per night. Typically, the lights are timed to be turned on late at night and to be turned off by early morning. In greenhouses, the lights are typically “cycled” or turned on for a short period of time (e.g., five minutes), then turned off for approximately 25 minutes. In open fields, night lighting is used occasionally, however, the lights are generally not “cycled” but rather left on continuously. Many of the new greenhouses are equipped with “blackout” shades that are deployed automatically and prevent light from escaping from greenhouse structures.

In addition to greenhouses, there are accessory developments associated with greenhouse operations, such as hoop structures, shade structures, packing and shipping facilities, paved parking and driveways, storage sheds, among other accessory structures. Plant protection structures, such as hoop structures, are highly variable in appearance. Plant protection structures may have wooden or PVC frames covered with plastic sheets or similar material. The cover material on the roof and sides can be removed and replaced as necessary to protect plants from sun or to the climate variations. Other plant protection structures may be similar in appearance to a greenhouse, having wooden or aluminum frames, fiberglass roofs, and canvas walls or removable walls for climate control. (Note, as proposed, any hothouse or plant protection structure that does not fall within the definition of shade structure or hoop structure shall be included in the definition of greenhouse, for the purposes of implementing the provisions of the Carpinteria Overlay District.)

Shade structures consist of a frame with no permanent structural elements that are typically covered with sheets of black (permeable) netting. These structures are used to shade plants grown in the soil or in containers upon the soil, and typically have a maximum height of 10 to 12 feet above natural grade.

Accessory and agriculture-related support structures are also associated with greenhouse development. Accessory structures include facilities such as packing sheds, offices, warehouses, and distribution centers that have been developed in support of the

agricultural industry, including both greenhouse-related and not greenhouse related operations. Other types of accessory structures include refrigeration buildings, heating and cooling units, nutrient mixing tanks, water tanks, etc. The size of the buildings that have been developed for these uses can vary substantially. Offices and packing sheds may be several thousand square feet in area, while larger warehouses and distribution facilities may be 40,000 sq. ft. or more in floor area and reach heights of up to 29 feet. Perimeter landscaping for such facilities has been highly variable, ranging from no landscaping to extensive screening.

As reported in the Revised FEIR, the need for large, full-service packing/distribution facilities (on-site) has been a recent trend in the greenhouse production industry that will likely continue as competition increases. Construction of these facilities adjacent to public view corridors often obstructs foreground, mid-ground, and background views of the mountains, ocean, and open field agriculture. The expansive parking lots, truck loading bays, and wide driveway entrances (necessary to accommodate truck turning radii) contribute to an industrial-like appearance.

The Carpinteria greenhouse industry has grown rapidly since first introduced in 1962. Starting with approximately 100,000 square feet of greenhouses and related development, greenhouse use grew to three million square feet by 1970, eight million square feet by 1982, and the current 14.9 million square feet in 1999. The majority of greenhouse development has occurred in the western portion of the study area, south of Highway 192, east of Nidever Road, and west of Linden Avenue. In this area, approximately 9.1 million square feet (209 acres) of greenhouses and related facilities have been developed, which is approximately 60% of the total greenhouse development in the study area.

There is variation in the appearance of the existing greenhouse developments, due to the varying ages of the structures. The older structures present generally range in height from 12 to 20 feet. As with all greenhouse development within the area, the landscape screening ranges from minimal or no screening to well-screened. However, a considerable amount of the older greenhouses and related structures, particularly those located along the Highway 192 corridor, are generally moderately to well screened from the adjacent roadway by mature landscaping. Newer greenhouses are generally taller than the older greenhouses, and may range in height from 16 to 28 feet in height. These taller structures are more difficult to screen.

Eight parcels within the block between Cravens Lane and Nidever Road and three parcels fronting Highway 192 between Cravens Lane and Santa Monica Road have been identified as view corridor parcels by the County (Exhibit 16). The eight-parcel agricultural view lots were identified by the County to contain important public views of the mountains, ocean, open field agriculture, and open space as seen from Via Real, U.S. Highway 101 and State Highway 192. The three other parcels are currently planted with mature orchards and are the last remaining open field parcels with frontage along the south side of Highway 192 between Cravens Lane and Santa Monica Road. These

two agricultural view corridors represent a vestige of open field agriculture in the central study area that has not yet been infringed upon by urban or greenhouse development.

This LCP amendment proposes to protect these view corridor parcels by restricting greenhouses and greenhouse related development (including packing and shipping facilities, shade and hoop structures) on identified view corridor parcels to 25% maximum lot coverage, 25-foot absolute building height (12 feet for shade and hoop structures), and 250-foot front setbacks from the public right-of-way to minimize fragmentation of these large blocks of contiguous open field agriculture and to preserve, to the greatest extent feasible, important public view corridors. Shade structures would be subject to all applicable CA Overlay District development standards (required for CDPs), Coastal Development Permit findings, and would be applied to the 25% lot coverage for view corridor parcels.

Coastal Act Section 30251 has been incorporated as a guiding principle into the certified LUP. Section 30251 requires that visual qualities of coastal areas be protected, landform alteration be minimized, and where feasible, degraded areas shall be enhanced and restored. Section 30251 requires that development be sited and designed to protect views to and along the ocean and other scenic coastal areas. This policy also requires that development be sited and designed to be visually compatible with the character of surrounding areas. New development must also minimize the alteration of natural landforms, and, where feasible, include measures to restore and enhance visual quality where it has been degraded. Furthermore, Policy 4-3 of the certified LUP requires that new development in rural areas be compatible with the character of the surrounding natural environment in height, scale, and design.

The County has assigned a scenic value to these view corridor parcels because they represent the remaining open field agriculture in the central study area that has not yet been infringed upon by urban or greenhouse development. As proposed, these view corridor parcels would be designated for intensified greenhouse development. Although the LCP amendment proposes to apply performance standards to regulate the maximum lot coverage and height of greenhouses and greenhouse related development on these view corridors parcels, the proposed regulation does not afford the level of protection required under the Coastal Act because the buildout of 25% of each lot would not preserve the coastal views remaining unimpaired by greenhouse development.

The Commission finds that designating these view corridor parcels for intensified greenhouse development, as proposed in the LCP amendment, would have adverse impacts to visual resources in the Carpinteria Valley by replacing some of the last open space views in the central area with large structural developments. Even with the proposed requirements to reduce lot coverage and height, and to setback the development substantially from the public roadway, the Commission finds that these identified visual resources would be degraded. Therefore, to protect the scenic and visual resources of the Carpinteria Valley consistent with Policy 4-3 of the certified LUP and Section 30251 of the Coastal Act, as incorporated in the certified LCP by reference,

the Commission suggests Modification One (1) and Modification Eight (8) which require the location of intensified greenhouse and greenhouse related development to be clustered with existing greenhouse areas. Modification 1 and Modification 8 would result in the view corridor parcels being removed from Area A (intensive greenhouse expansion area) and located within Area B where open field agricultural is intended to continue.

Furthermore, pursuant to the revised location of intensified greenhouse development suggested through Modification Eight (8), the view corridor parcels would no longer be located within the Area A expansion area, but would be located within Area B of the Carpinteria Agricultural Overlay District, and subject to the provisions therein. Area B allows for a maximum of 20,000 sq. ft. of greenhouse and greenhouse related development per parcel. As proposed under the proposed overlay district configuration, the view corridor parcels would be allowed maximum lot coverage of 25%. However, staff notes that the 20,000 sq. ft. requirement for Area B is more restrictive than 25% maximum lot coverage given the size of the parcels, and therefore the maximum 20,000 sq. ft. lot coverage is more protective of the resources. Therefore, to ensure consistency among the provisions of the proposed overlay district, if modified as suggested, and to ensure that visual resources are protected consistent with Policy 4-3 and Coastal Act Section 30251, as incorporated by reference into the certified LUP, the Commission suggests Modification Four (4) and Modification Thirteen (13) which delete the 25% maximum lot coverage requirement on the designated view corridor parcels and specify that a maximum 20,000 sq. ft. lot coverage would be applied to these parcels, now in Area B.

Additionally, the Commission suggests Modification Twenty-one (21) to provide standards for the siting and design of greenhouse and greenhouse related development that could adversely impact scenic areas, and public views of the ridgelines and natural features visible from scenic public roadways and scenic viewing areas. Modification adds a development standard (No. 18) such that, if there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas and public views of ridgeline and natural features visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, reducing maximum height standards, breaking up the mass of new structures, clustering new structures with existing greenhouse development along the edges of the properties to maintain maximum through-view corridor, and incorporating landscape elements. Modification 21 also adds development standard (No. 19) which requires avoidance of impacts to visual resources through site selection and design alternatives as the preferred method over landscape screening. Landscape screening, as mitigation of visual impacts shall not substitute for project alternatives including re-siting, or reducing the height or bulk of the greenhouse development.

As stated above, Coastal Act Section 30251 requires new development to minimize the alteration of natural landforms, and, where feasible, include measures to restore and enhance visual quality where it has been degraded. Policy 4-3 of the certified LUP

requires that structures be subordinate in appearance to natural landforms and sited so that it does not intrude into the skyline as seen from public view places. Additionally LUP Policy 3-14 requires that new development be designed to fit the topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Policy 3-14 further requires that areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.

As reported in the County's Revised FEIR (February, 2002):

Historically, greenhouse development in the study area has been constructed on slopes of 5% or less. Of the approximately 2,500 acres of AG-I designated land in the study area meeting this criteria, more than 99% is currently in some form of agricultural production (including greenhouse development, open field, orchards, and fallow land with evidence of historic agricultural use.) Most land that is suitable for greenhouse development has already been converted to agriculture. The remaining 3,100 acres of agriculturally zoned land occurs on slopes in excess of 5%, which is unsuitable for greenhouse development.

The Commission finds that greenhouse development has the potential to adversely impact visual resources of the Carpinteria Valley as a result of the significant landform alteration from grading and site preparation that would be required for a structure of up to 20,000 sq. ft. (approximately 0.5-acre), inconsistent with Coastal Act Section 30251 and the certified LUP policies. As indicated above, the County determined in its baseline analysis that greenhouses were primarily constructed on slopes of 5% or less. As described above agricultural lands with slopes in excess of 5% are unsuitable for greenhouse development as a result of the potential significant landform alteration and site preparation that would be required. Therefore, to ensure that greenhouse development does not result in significant adverse impacts to the visual resources of Carpinteria Valley, the Commission suggests Modification Five (5) and Modification Fourteen (14) to prohibit greenhouses and greenhouse related development on slopes in excess of 5 percent within the Carpinteria Valley in Area B.

As provided in the certified LUP, the scenic resources of the County's coastal zone are of incalculable value to the economic and social well-being of Santa Barbara County. The beauty of the Santa Barbara coastline is the basis of the County's strong tourist and retirement economies and is a source of contributing pleasure for the local populace. As the County's certified LCP notes, the County counts its beaches, sand dunes, coastal bluffs, headlands, wetlands, estuaries, islands, hillsides and canyons, upland terraces and plains, and its rivers among its significant visual resources. These resources are vulnerable to degradation through improper location and scale of building development, blockage of coastal views, alteration of natural of landforms by poor cutting, grading, and filling practices, and by poor design or placement of roadside signs and utility lines.

Views of the Santa Ynez Mountains, ocean, and open space are provided from public viewing locations throughout the study area. So far, greenhouses have been developed within the study area almost exclusively on the gently sloping coastal plain adjacent to the City of Carpinteria. Greenhouse development is concentrated largely south of Highway 192; however, some greenhouse clusters have cropped up north of Highway 192, approaching the base of the foothills (Exhibits 14 and 16). Due to the proximity of greenhouse development to U.S. Highway 101, individual and groups of greenhouses can be seen from several locations from the northbound and southbound lanes of the highway. A large concentration of greenhouses are adjacent to the north side of Highway 101 in the western portion of the Carpinteria Valley Greenhouse Program study area and are highly visible. Views from Highway 192 to the south consist of agricultural operations including open fields, greenhouses, plant protection and shade structures. Existing greenhouse development that is visible from Highway 192 is concentrated in the western and central portions of the study area, between Nidever Road and Linden Avenue, where several large greenhouse clusters of greenhouses and related structures are located primarily on the south side of the highway. Views to the north from Highway 192 are agricultural in the foreground and mountainous in the background.

Existing greenhouse development often has minimal (20-foot) building setback from the roadway. In addition, the type and effectiveness of landscaping that has been provided adjacent to greenhouse development within the study area varies considerably, ranging from no landscaping to an integrated design of block walls and dense plantings. Landscaping such as a narrow row of trees with wide spaces between each tree provides a partial visual buffer, while a dense row of tall shrubs such as oleander or myoporum provide a complete visual screen from ground level. Dense landscaping, however, can have the unintended effect of limiting or eliminating foreground and middle-ground views of open space area and may provide tunnel-like conditions when there are multiple developments with landscaping at the outer edges of the parcels, along roadways.

Many types of visual buffers have been provided adjacent to existing greenhouse development. Vegetation such as orchard trees make an excellent visual buffer, and present an appearance that is consistent and compatible with the views of other orchards in the region. A greenhouse visual screen located adjacent to Highway 101 incorporates the use of multiple types of landscaping materials, including trees, shrubs, and a block wall. The appearance of the wall could have been softened by the use of clinging vines. In some instances along Highway 192, large shrubs, some of which have been trimmed into to all hedges, have been planted adjacent to the roadway to serve as a visual buffer. While this type of vegetation makes an effective visual screen for the adjacent greenhouses, the appearance of the screen itself can be somewhat imposing and has an unnatural appearance. This effect is particularly noticeable in places where dense vegetation has been installed on the north and south sides of the highway, creating a “tunnel” effect that blocks mid- and background views.

Policy 4-2 of the LUP requires that a landscape plan be submitted for all greenhouse projects. This policy combined with Policy 8-6 provides the LUP policy basis for landscape screening of greenhouse development. Policy 8-6 requires that landscape and screening be installed within six months of completion of greenhouse development, wherein such landscaping shall reasonably block views of the development within five years of project completion.

The proposed Overlay District includes detailed landscaping requirements for visual screening of all structures and parking areas from adjacent public roads and view corridors. Landscaping within the front setbacks is required to gradually increase in height away from public roadways. Solid wall fencing shall not be relied upon as a primary means of screening. If solid wall screening is implemented the walls shall be screened from public view corridors by dense landscaping and/or covered with attractive climbing vines.

To ensure that the “tunnel” effect is avoided to the maximum extent possible consistent with the certified policies, Policy 4-2 and Policy 8-6, of the LUP and Section 30251 of the Coastal Act as incorporated, the Commission suggests Modification Twenty (20) which requires solid wall or chain-link fencing to be setback from public roads toward the greenhouse development to the maximum extent feasible. Modification 20 also provides that landscaping fences and walls must be sited to avoid impeding views of scenic roads, parks, or other public view areas.

Section 30251 of the Coastal Act, as incorporated by reference into the LUP, requires that scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Furthermore, permitted development shall be sited and designed to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. Furthermore, pursuant to Policy 4-3, greenhouse development must be compatible with the character of the surrounding natural environment and be of a height, scale, and design to that effect.

The development of greenhouses and related structures has contributed to a change in the visual character of many of the properties that are located in the project study area. This change has occurred primarily from the conversion of open field agricultural operations to agriculture-related structures, and the resulting loss of open space. In areas where greenhouse development has occurred near roadways, fore-, mid-, and background views from the road are often obstructed by intervening structures and landscaping. When viewed from higher elevations, such as from the foothills to the north, areas with extensive greenhouse development have a white appearance.

To address the impacts to visual resources and rural character of greenhouse development, the County proposes modification to Policy 8-5 and Policy 8-6 of the LUP and further proposes to implement these policies through the Carpinteria Agricultural Overlay District. These policies and overlay district are devised to mitigate visual impacts

and control the density of greenhouse development in the Carpinteria Valley. In addition to identifying specific locations for future intensive greenhouse development and the corresponding development capacity, the overlay district requires greenhouse development to meet height, lot coverage, setbacks, and development standards to minimize environmental impacts and ensure compatibility of land uses.

The existing zoning for greenhouse structures allows a maximum height of 35 feet above finished grade. As proposed under this LCP amendment, the maximum allowed height for greenhouse and greenhouse related development is 30 feet above finished grade, however, for designated view corridor parcels, the height is restricted to a maximum of 25 feet above finished grade. The maximum absolute height of any shade structure or hoop structure shall be limited to no greater than twelve feet above natural grade.

Lot coverage for greenhouse and accessory structures is restricted, pursuant to Policy 8-6, in a graduated scale according to parcel size: 75% maximum lot coverage for lots less than 5 acres, 70% maximum lot coverage for lots between 5 and 9.99 acres, and 65% maximum lot coverage for lots 10 acres or more. The proposed overlay district would remove the maximum percent lot coverage requirement for Area A parcels, except for designated view corridor parcels which would be allowed a maximum of 25% net lot coverage (including all impervious surfaces). In Area B, rather than implement maximum lot coverage on a percentage basis, greenhouse and greenhouse related development would be limited to 20,000 sq. ft. As discussed in detail below, the modifications to lot coverage are not adequate to ensure new greenhouse development is designed to minimize impacts to coastal resources.

As proposed, setbacks will be slightly modified (see Table 1 in Section A, Amendment Description). The new setback requirements are more restrictive than required in existing Policy 8-6. The front setback will be increased from 30 feet to 75 feet, except for view corridor parcels which will be required to have a 250-foot setback from the right-of-way of any street. Additionally, greenhouse and greenhouse related development will be required to be setback 100 feet from residentially zoned parcels and 50 feet from parcels with an approved residence within 50 feet of the parcel boundary. Presently, greenhouse development is required to be setback 50 feet from a residentially zoned lot.

The Commission recognizes that there has been substantial growth in greenhouse development within Carpinteria and that there is continued trend for growth in that sector of the industry. Since the early 1980s, the valley's greenhouse development has nearly doubled to its current expanse of approximately 15 million square feet. Greenhouses have the effect of transforming the visual character of the valley from rural, orchard and fields, into a structure-dominated character that is more representative of an urban area, reducing the rural appearance of the agricultural valley.

As dictated by their function, greenhouse structures are bulky in shape and are generally plain in appearance. On-site warehouses and distribution facilities approach heights of 30 feet and have often been constructed close to roadways for easy access. The expansive

parking lots, truck loading bays, and wide driveway entrances can create a visually prominent industrial appearance that is inconsistent with the rural character of the area. In addition to the structural mass, greenhouse development contributes to daytime glare from sunlight reflecting off of greenhouse and night lighting within the structures. These impacts have the ability to reduce enjoyment of the public from public viewing areas, trails, and vistas as a result of the glare from the translucent rooftops, as seen from the hillsides.

The Commission finds that the potential buildout of greenhouse development in the Carpinteria Valley, if it continues under present trends and regulation, has the potential to transform the rural valley to a structured, quasi-industrial landscape. The incremental conversion of the open space to a structural developed landscape, if not controlled, has the potential to adversely impact the scenic and visual qualities and overall rural character of the Carpinteria Valley. The Commission finds, that by limiting the total development potential to specific greenhouse cluster areas, while preserving the large blocks of existing open field agricultural areas, is protective of rural character. Therefore, to ensure preservation of community character and scenic resources of the rural Carpinteria Valley consistent with Coastal Act Section 30251, as incorporated by reference into the certified LUP, the Commission suggests Modification One (1) and Modification Eight (8) and correspondingly, Modification Three (3) and Modification Ten (10) to locate intensive greenhouse development in areas adjacent to existing greenhouse clusters and to provide a maximum greenhouse development cap for Area A.

The Commission recognizes that locating the intensive greenhouse development appropriately, is the first step to mitigate the cumulative impacts of greenhouse development on coastal resources, including visual resources. However, the impact specific to each new development project must additionally be mitigated through applicable performance standards. In particular, the covering of agricultural lands with hardscape and structures contribute to the incremental loss of open space, and adversely impact the valley's rural character. To minimize the impact of greenhouse and greenhouse related development to the rural community character, the Commission further suggests Modification Four (4) and Modification Thirteen (13) to limit the maximum lot coverage for all greenhouse parcels to 65 percent.

To ensure the long-term preservation of the scenic and visual qualities of the rural Carpinteria Valley, the Commission further suggests Modification Twenty-four (24) to require the removal the greenhouse and greenhouse related development if the greenhouse operation is abandoned (not in operation for 24 consecutive months). Specifically, Modification 24 requires that prior to approval of any project, the property owner must sign a written agreement with Santa Barbara County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days by the subsequent 1 year period, or the facility shall be deemed abandoned and notice of such

abandonment shall be served upon the landowner by the County. The property owner shall submit an application for demolition of the applicable development and the removal shall occur within 180 days of issuance of a coastal development permit for removal.

Through implementation of Modification 24, the County will ensure that abandoned greenhouses do not become a visual blight. Abandoned structures of any kind are often neglected, and after years of inadequate repair and maintenance and neglect of landscaping elements, the condition may decline substantially enough to impact coastal views.

The Commission therefore finds that the proposed amendments to Policy 8-5 and Policy 8-6 as submitted are inconsistent with and inadequate to carry out the requirements of Section 30251 of the Coastal Act unless modified as suggested above. Furthermore, the proposed overlay district boundaries, development cap, and general requirements are not consistent with Policies 4-2, 4-3, 3-14, 8-6 and Section 30251 of the Coastal Act, as incorporated into the certified LUP, unless modified as suggested above.

F. WATER QUALITY

1. Coastal Act Policies

The Commission recognizes that greenhouse development and greenhouse related development has the potential to adversely impact coastal water quality through erosion and sedimentation, increase of impervious surfaces, increase of runoff, irrigation practices, waste management, the use of pesticides, fertilizers and nutrients, and the management of effluent from septic systems. Section 30231 of the Coastal Act states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.

Section 30230 requires the protection, enhancement, and restoration of marine resources. Section 30230 states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that

will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

2. Existing LUP Policies

Policy 2-2:

The long term integrity of groundwater basins or sub-basins located wholly within the coastal zone shall be protected. To this end, the safe yield as determined by competent hydrologic evidence of such a groundwater basin or sub-basin shall not be exceeded except on a temporary basis as part of a conjunctive use or other program managed by the appropriate water district...

Policy 2-5:

Water-conserving devices shall be used in all new development.

Policy 3-12:

Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control works, i.e., dams, stream channelizations, etc.

Policy 3-14:

All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparations is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.

Policy 3-19:

Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.

Policy 9-11:

Wastewater shall not be discharged into any wetland without a permit from the Regional Water Quality Control Board finding that such discharge improves the quality of the receiving water.

Policy 9-14:

New development adjacent to or in close proximity to wetlands shall be compatible with the continuance of the habitat area and shall not result in a reduction in the biological productivity or water quality of the wetland due to runoff (carrying additional sediment or contaminants), noise, thermal pollution, or other disturbances.

3. Discussion

Greenhouse development and greenhouse related development has the potential to adversely impact coastal water quality through erosion and sedimentation, increase of impervious surfaces, increase of runoff, irrigation practices, waste management, the use of pesticides, fertilizers and nutrients, and the management of effluent from septic systems. The Revised FEIR states that greenhouse development has historically impacted surface water quality through the discharge of nutrients and pesticides in runoff waters.

The Central Coast Regional Water Quality Control Board (CCRWQCB) has taken some recent steps to evaluate the impact of greenhouse development and greenhouse related development in Carpinteria Valley on water quality, and to minimize this impact through outreach and enforcement measures. Below is a summary of recent actions, excerpted from a CCRWQCB Executive Officer Report dated December 13, 2002 (Exhibit 9).

In recent years, the Carpinteria Valley's mild climate and proximity to large markets in Southern California prompted horticulturists to substantially increase the number of greenhouses in the area. To reduce expenses and increase production, most greenhouses improved their growing practices, thereby reducing adverse effects on water quality. The greenhouses often converted to hydroponic systems, which generate much less wastewater and require much less fertilizer than earlier in-ground or potted growing methods. Many greenhouse operators capture, treat, and return the small wastewater flows to the irrigation system for reuse. However, some greenhouses discharge irrigation runoff and water softener wastewaters directly to outdoor ditches, which then drain to the creeks.

Currently, there are no permits for the discharge of wastewater from the greenhouses in the Carpinteria Valley, although there are known wastewater discharges. As a result, in a July 2001 letter, the Executive Officer advised all greenhouse owners and operators in the Carpinteria Valley:

- Of the applicable legal requirements and recommended they cease discharges of polluted wastewater to surface waters without an NPDES permit;***

- ***To submit, in accordance with Water Code Section 13267(b), a technical report from each describing existing and proposed waste disposal methods;***
- ***To submit an application for an NPDES permit, in which the Regional Board would require pollutants to be eliminated from the discharge (for those who intend to continue discharge wastewater to surface waters), and,***
- ***If the greenhouse or nursery proposes to cease discharging wastewater to surface waters, to submit a technical report proposing management measures and a time schedule to implement them.***

In August 2001, a Regional Board subcommittee conducted a public workshop to discuss issues raised in the July 2001 letter. Subsequently, all 51 greenhouse and nursery operators, representing more than 175 greenhouses, responded to the July 2001 letter request. Almost all stated they intended to cease discharging to surface waters, and provided compliance time schedules and plans to do so.

In late September, local citizens submitted information pointing out possible greenhouse discharges. Board staff inspected the alleged discharges and informed the individual greenhouse/nursery operators of the inspection results as well as the Santa Barbara County Flower Growers Association. Subsequently, the operators eliminated most of the reported discharges. Regional Board staff will continue to address the few remaining discharges.

In March 2002, staff formed a small work group to address greenhouse wastewater discharges in the Carpinteria Valley. By inspecting each greenhouse or nursery, work group members confirmed the information submitted by greenhouse operators in the technical reports. Regional Board staff completed initial compliance inspections at 47 of 51 greenhouse or nursery operations, and will conduct "follow-up" inspections at selected facilities, including those that provided a schedule to eliminate the discharge. The attached greenhouse table reflects each of the facilities we have visited along with their inspection and compliance status. Regional Board staff continues to work with greenhouse operators that have not yet eliminated their discharges, accepting the operators' compliance schedule where reasonable.

Coastal Commission staff had recent discussions with Mike Higgins, staff member of the CCRWQCB and author of the report cited above. Mr. Higgins indicated that the CCRWQCB has received a 100% response from greenhouse owners in the Carpinteria Valley to eliminate their wastewater discharge. A majority of greenhouse operators have already done so, and the rest are in the process of working with the CCRWQCB to convert their operations to no discharge. Mr. Higgins stated that any future greenhouses that are developed and operated in Carpinteria Valley would be required to obtain a CCRWQCB permit if they have any proposed discharge.

Greenhouse development will result in an increase in impervious surface, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable area therefore leads to an increase in the volume and rate of stormwater runoff that can be expected to leave the site. Therefore, greenhouse development has the potential to contribute to downstream flooding and erosion if not properly mitigated. The proposed LCP amendment requires the minimization of impervious surfaces. In addition, the proposed LCP amendment requires mitigation for increased stormwater runoff from all new greenhouse development, unless exempted by the Flood Control District. The Commission recognizes that all greenhouse development, including greenhouse related development (such as driveways and loading bays), will result in an increase in impervious surfaces, and, therefore, all greenhouse development shall require mitigation for increased stormwater runoff. To ensure that greenhouse development does not contribute to downstream flooding, erosion or water quality degradation consistent with the LUP policies, the Commission suggests Modification Twenty-two (22) Sec. 35-102E.9.A.2., which deletes text that allows an exemption by the Flood Control District, adds text that requires all greenhouse development and greenhouse related development to mitigate for increased storm water runoff from development of the project site, and adds text requiring that the design of storm water drainage facilities comply with County Water Agency standards and guidelines, in addition to Flood Control District standards.

An increase of impervious surface leading to an increase in stormwater runoff volume and rate leaving the developed site also has the potential to contribute more polluted runoff to downstream areas. An increased amount of stormwater runoff can carry with it more pollutants, and these pollutants have a reduced chance for infiltration as the stormwater passes over impermeable areas. The Revised FEIR states that stormwater runoff from greenhouse operations has the potential to degrade the surface water quality of the study area and the Carpinteria Salt Marsh, and the adjacent ocean intertidal zone with elevated levels of stormwater runoff pollutants. In order to find the proposed development consistent with the LUP policies, the Commission finds it necessary to require the incorporation of Best Management Practices (BMPs) designed to control the pollutant load of stormwater leaving the developed site. Therefore, to protect water quality consistent with the LUP policies, the Commission suggests Modification Twenty-two (22) Sec. 35-102E.9.A.20., which adds language requiring the implementation of post-construction structural treatment control BMPs for greenhouse development and greenhouse related development less than 20,000 square feet if determined necessary by the County on a case-by-case basis, and for all greenhouse development and greenhouse related development 20,000 square feet or more. While these post-construction structural treatment control BMPs are primarily aimed at pollutant load reductions, they often provide runoff volume and rate control as well.

In similar types of development to greenhouses and similar areas of the coast, the Commission has previously required structural BMPs to accommodate (infiltrate, filter or treat) the amount of stormwater produced by all storms up to and including the 85th percentile, 24 hour storm event. The County of Santa Barbara has adopted standards

that include sizing criteria for volume-based and flow rate-based structural treatment control BMPs, as described below in an excerpt from the Santa Barbara County Draft Storm Water Management Program.

These standard conditions will be required on all new or redevelopment projects that are one acre or larger in size for residential development, or 0.5 acre or larger in size for commercial, industrial, and transportation/vehicle development. The conditions require treatment control BMPs be installed to accommodate rainfall events up to 1.2 inches in volume, or 0.3 inches per hour. Events or flows greater than this would be by-passed. This sizing criterion is based on storm event analysis and continuous rainfall/runoff simulation (SYNOP and SWMM) on rainfall data from 1948 to 1999.

The criteria for Santa Barbara County did not analyze 24-hour storms as this typically truncates many storm events artificially (i.e., storm events often begin and end before and after midnight, respectively) and is not how storm events actually occur. The approach used to obtain the 1.2 inch sizing criteria was based on the U.S. EPA statistical rainfall analysis program SYNOP, which was used to convert the hourly rainfall data to individual storm events with inter-event mean times (the dry period used to separate and aggregate hours of rainfall into “events”) of 6 hours or greater and total rainfall depth of 0.1 inches or greater (storms less than 0.1 inch were omitted because they do not typically generate creek flows or significant runoff). Thus, these values provide a more accurate value than the 85th percentile value commonly used in other communities (if converted to a percentile approach, these values represent a range between the 70th to 90th percentile, depending on where in the County rainfall is measured).

Based on the discussion above, the Commission finds that the County design criteria standards provide equivalent water quality protection as the 85th percentile design standard. Therefore, to ensure the proposed LCP amendment will minimize adverse impacts to coastal resources and water quality consistent with the LUP policies, the Commission suggests Modification Twenty-two (22) Sec. 35-102E.9.A.20., which requires that the post-construction structural treatment control BMPs that are required be designed and installed according to County Flood Control District and County Water Agency standards and guidelines, including accommodating rainfall events up to 1.2 inches in volume or 0.3 inches per hour. In addition, the Commission suggests Modification Twenty-two (22) Sec. 35-102E.9.A.21., which requires that the location, description and design of all post-construction structural treatment control BMPs be included in the Water Quality Management Plan.

The storage of fertilizers, pesticides, and other toxic or hazardous substances is also a concern for protecting water quality. If these chemicals are not stored and contained properly, spills and/or stormwater collection can contribute to water quality degradation. The proposed LCP amendment specifies requirements for the design of storage facilities for compost, pesticides, herbicides and fertilizers to minimize leachate and polluted

runoff. To ensure that water quality is protected from spills or runoff of toxic or hazardous substances consistent with the LUP policies, the Commission suggests Modification Twenty-two (22) Sec. 35-102E.9.A.4. and Sec. 35-102E.9.A.5., which add language that requires covering all storage areas with an awning or roof structure for protection from stormwater that could result in polluted runoff.

Greenhouse development also has the potential to impact water quality through discharge of wastewater or irrigation runoff, which can contain several pollutants including domestic sewage, brine, fertilizers, pesticides and nutrients. The proposed LCP amendment includes provisions for disposal of domestic wastewater through a private septic system with adequate setbacks and expansion area, consistent with the LUP policies. In addition, the proposed LCP amendment, consistent with the LUP policies, prohibits the discharge of high saline brines unless it can be demonstrated that no adverse effect on water quality will result and only if the discharge is permitted by the Regional Water Quality Control Board.

The proposed LCP amendment also requires a Water Quality Management Plan to be prepared and implemented for greenhouse development and greenhouse related development 20,000 square feet or more. This Water Quality Management Plan includes proposed measures to recycle water and nutrients, use Integrated Pest Management practices, and reduce surface water transport. A Regional Water Quality Control Board permit is required for any discharge. The Revised FEIR states that greenhouse buildout has the potential to degrade the surface water quality through the discharge of irrigation and surface runoff water containing fertilizers and other agricultural chemicals. The Commission recognizes that all greenhouse development, regardless of size, has the potential to impact water quality through polluted runoff. Therefore, to ensure that water quality is protected from polluted runoff, consistent with the LUP policies, the Commission suggests Modification Twenty-two (22) Sec. 35-102E.9.A.21., which requires a Water Quality Management Plan for all greenhouse development and greenhouse related development, removing the 20,000 square foot minimum requirement. In addition, this suggested Modification adds language requiring water conservation measures, a nutrient management plan designed to minimize nutrient loss, and the minimization of pesticide use. Finally, the suggested Modification encourages the implementation of measures to eliminate the need for discharge of wastewater or irrigation runoff. Where a discharge is proposed, a Regional Water Quality Control Board permit must be obtained. Discharge permits typically include specific requirements for the make-up of the discharge (i.e. numerical limits for different pollutants), as well as monitoring and reporting requirements. These types of permits typically don't require particular BMPs, but suggest BMP alternatives that can be implemented to meet the requirements of the permit. Where a discharge is proposed, it may be deemed necessary by the County to require an irrigation water detention system. The proposed LCP amendment requires a detention system to only be considered for greenhouse development 20,000 square feet or more. The Commission recognizes that all greenhouse development, regardless of size, has the potential to impact water quality through polluted runoff. Therefore, to ensure that water quality is protected from polluted

runoff, consistent with the LUP policies, the Commission suggests Modification Twenty-two (22) Sec. 35-102E.9.A.22., which requires the consideration of an irrigation water detention system for all greenhouse development and greenhouse related development, removing the 20,000 square foot minimum requirement.

The Revised FEIR states that construction and reconstruction of greenhouses has the potential to degrade the surface water quality within the study area and the Carpinteria Salt Marsh with elevated levels of silt/sediment. Therefore, to ensure that water quality is not degraded by sedimentation caused by construction of greenhouses, consistent with LUP policies, the Commission suggests Modification Twenty-two (22) Sec. 35-102E.9.A.21., which adds language requiring an erosion and sediment control plan be prepared and implemented during the construction phase of development, and which also requires the use of soil conservation techniques and structural and/or nonstructural BMPs that reduce erosion and sedimentation.

The Carpinteria Valley Water District (CVWD) currently has a groundwater monitoring program in the Carpinteria Valley. As stated in the Revised FEIR, greenhouse buildout has the potential to degrade the groundwater quality through the discharge of irrigation and surface runoff water containing fertilizers and other agricultural chemicals. The proposed LCP amendment requires the applicant for greenhouse development 20,000 square feet or more to reimburse CVWD for costs related to additional groundwater testing and reporting as deemed necessary by CVWD. The proposed LCP amendment also requires further review of a greenhouse facility and operations if nitrate loading is found to be in excess of CVWD standards. The Commission recognizes that all greenhouse development, regardless of size, has the potential to impact groundwater quality through the discharge of polluted runoff. The Commission also recognizes that new greenhouse and greenhouse related development that may degrade water quality should be monitored, and that CVWD should determine the necessity and requirements for this monitoring considering their current program. Finally, the Commission recognizes that a plan to modify greenhouse operations or other necessary enforcement action must be implemented if standards are exceeded. Therefore, to protect groundwater quality consistent with the LUP policies, the Commission suggests Modification Twenty-two (22) Sec. 35-102E.9.A.23., which allows CVWD to determine the necessary groundwater testing and reporting required to monitor nitrate loading of groundwater caused by the applicant's development for all greenhouse development and greenhouse related development, removing the 20,000 square foot minimum requirement. In addition, this suggested Modification adds language that allows CVWD to either require the applicant to conduct the monitoring and reporting or to reimburse CVWD for monitoring and reporting. This gives CVWD the discretion to determine the necessary monitoring requirements in conjunction with their current monitoring program. Finally, the suggested Modification adds language requiring the implementation of a plan to modify greenhouse operations to address an exceedance of CVWD standards. In addition, CVWD may take other necessary enforcement action to respond to an exceedance of their standards.

The implementation of proper water quality design and management practices for greenhouse development is necessary to ensure that greenhouse development will not adversely impact water quality or coastal resources. The Commission finds that the proposed amendments to the implementing zoning ordinance as submitted are inconsistent with and inadequate to carryout the requirements of the certified LUP resource protection policies. Suggested Modification Twenty-two (22) provides language to ensure that water quality is protected from potential adverse impacts related to greenhouse development. Therefore, the Commission finds that the proposed LCP amendment, only as modified, is consistent with the water quality policies of the LUP.

G. NEW DEVELOPMENT AND CUMULATIVE IMPACTS

1. Coastal Act Policies

Section 30250 of the Coastal Act states, in relevant part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels...

2. Existing LUP Policies

Policy 8-4 of the LCP states that:

As a requirement for approval of any proposed land division of agricultural land designated as Agriculture I or II in the land use plan, the County shall make a finding that the long-term agricultural productivity of the property will not be diminished by the proposed division.

Policy 8-5 of the LUP states:

All greenhouse projects of 20,000 or more square feet and all additions to existing greenhouse development, i.e., greenhouse expansion, packing sheds, or other development for a total of existing and additions of 20,000 or more square feet, shall be subject to County discretionary approval and, therefore, subject to environmental review under County CEQA guidelines.

Prior to issuance of a development permit, the County shall make the findings based on information provided by environmental documents, staff analysis, and the applicant that all significant adverse impacts of the development as

addressed in paragraphs “a” through “e” below have been identified and mitigated.

Action

The County Resource Management Department shall develop procedures and standards for the environmental impact analysis of greenhouse developments. This action is necessary to ensure that all significant adverse impacts on coastal resources are identified and that mitigation measures are attached to projects as a condition of approval to mitigate individual and cumulative impacts. Such guidelines shall include an evaluation of the following factors for each project:

- a. An assessment of the individual and cumulative increases in the amount and rate of runoff that would be caused by the proposed project and the potential impact on downstream watercourses. Mitigating measures shall be required to prevent runoff waters from entering overburdened water courses by directing runoff to water courses capable of handling the increased flow, or to collect the runoff and provide for drainage systems adequate to handle the increased flow.*
- b. If the project is located in a groundwater recharge area, a determination of the amount and rate of recharge that would occur if the site were uncovered and the net loss of recharge that will result from the project. Projects will be required to provide for the net potential loss of recharge that will result from the project through the use of impoundment basin where feasible or other means of collecting, storing, and percolating water for the purpose of recharging the groundwater basin.*
- c. Assessment of the impact of materials used for coverage and amount of coverage on the long-term productivity of soils.*
- d. Assessment of the potential adverse impacts of the project on the water quality of affected water bodies and groundwater basins.*

To this end, the following information shall be required for each greenhouse project:

- 1. the volume of water runoff or discharge during normal operating conditions and during the rainy season of the year.*
- 2. the types and amounts of pesticides and fertilizers contained in the runoff or discharge.*
- 3. the method for disposing of the runoff or discharge, i.e., a drainage plan, irrigation plan, or other means of determining how the runoff will be managed.*

The County shall request the Regional Water Quality Control Board to review each greenhouse project for conformance with applicable State statutes and

policies and to recommend mitigating measures where necessary. No discharge shall be permitted into enclosed bays and estuaries unless it can be shown that such discharge will not degrade the quality of the receiving waters. In addition, no detectable level of pesticide shall be discharged into surface waters. Mitigation means may include suspension of the runoff and redirection away from the affected waters, treatment of the runoff to remove toxicants and nutrients present, and/or monitoring of discharge from individual greenhouse projects.

To implement this policy in the Carpinteria Valley, a program for regular monitoring of the water quality of the Carpinteria Marsh and streams affected by greenhouse development shall be established (see also Recommendation 8, paragraph b(1), Section 3.9)

- e. Assessment of the potential adverse impacts of the climate control aspects of the project on air quality.*

In addition to the mitigating measures listed above, other measures necessary to mitigate any adverse impact identified as a result of the evaluation of these and other factors shall be required as a condition of project approval. In order to adequately assess the potential individual and cumulative impacts of greenhouse development on the coastal resources of the Carpinteria Valley, the County should conduct a master environmental impact assessment for the Valley to determine the level of greenhouse development that the Valley's resources can support without experiencing adverse environmental impacts. The County shall seek funding for the preparation of the master environmental impact assessment during the implementation phase of the Local Coastal Program. If the master environmental impact assessment is not completed within three years of the certification of the County's land use plan, greenhouse development (as regulated by Policy 85) shall automatically become a conditional use on Agriculture I designated land in the Carpinteria Valley. If, however, the County and Coastal Commission agree on land use designation or policy changes based on the County's assessment of adverse environmental impacts of greenhouses gathered through the permit process, conditional use permits shall not be required for greenhouse development.

Policy 8-6 states:

No greenhouse, hothouse, or accessory structures shall be located closer than 50 feet from the boundary line of a lot zoned residential. In addition, setback and maximum lot coverage requirements shall be as follows:

<u>Parcel Size</u>	<u>Setbacks</u>	<u>Maximum Lot Coverage for All Structures</u>
Less than 5 acres	30 feet from the right-of-way of any street and 20 feet from the lot lines of the parcel on which the greenhouse is located	75 percent
5 to 9.99 acres	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	70 percent
10 acres or more	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	65 percent

3. Existing IP/CZO Provisions

Sec. 35-68.7 Setbacks for Buildings and Structures for AG-I Zone District

1. Front: Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of any street.

2. Side and Rear: Twenty (20) feet from the lot lines of the lot on which the building or structure is located.

3. Lots that contain one gross acre or less shall be subject to the setback regulations of the R-1/E-1 Single Family Residential District.

4. In addition, no hothouse, greenhouse, other plant protection, or related structure shall be located within thirty (30) feet of the right-of-way line of any street nor within fifty (50) feet of the lot line of a lot zoned residential. On lots containing five (5) or more gross acres, an additional setback of thirty (30) feet from the lot lines of the lot on which the structure is located is required.

Sec. 35-68.8 Lot Coverage for AG-I Zone District

The maximum net lot coverage for all hothouses, greenhouses, and other plant protection structures shall be as follows:

<u>Lot Size</u>	<u>Maximum Lot Coverage</u>
Less than 5 acres	75 percent
5 to 9.99 acres	70 percent

10 acre or more

65 percent

4. Discussion

The County's LCP recognizes that widespread, unmitigated greenhouse development in the Carpinteria Valley could have significant cumulative adverse impacts on coastal resources. LUP Policy 8-5(e) requires the County to conduct a master environmental assessment for the Carpinteria Valley to adequately address the potential individual and cumulative impacts of greenhouse development on coastal resources. The County was charged with the task of determining the level of greenhouse development that the valley's resources can support without experiencing adverse environmental impacts, and submitting this analysis for Commission consideration. The proposed Carpinteria Valley Greenhouse Program, as specified in this amendment, is the County's response to this requirement.

The proposed amendment includes modification of LUP Policy 8-5(e) to adopt the Carpinteria Agricultural Overlay District as approved by the Board of Supervisors on February 19, 2002, including general requirements and development standards to protect the water quality, visual resources, and rural character of the Carpinteria Valley. LUP Policy 8-5(e) also reflects the proposed 2.75 million sq. ft. development cap for all greenhouse and greenhouse related development within the designated expansion area.

Pursuant to modified LUP Policy 8-5(e), the County proposes to incorporate the Carpinteria Agricultural Overlay District to designate geographic areas of AG-I zoned lands in the Carpinteria Valley appropriate to support future greenhouse development, based upon the cumulative impacts analysis identified in the Revised Final EIR (February 19, 2002). The designated area for the expansion overlay district pursuant to the proposed LCP amendment overlies 664 acres of agricultural lands in the Carpinteria Valley, encompassing 88 parcels. The Revised FEIR reflects the changes in the project description as a result of modifications made by the Planning Commission and Board of Supervisors during the public hearing process. The Revised FEIR project description represents the project parameters of the proposed LCP amendment. The revised project included a blanket designation of all AG-I zoned parcels north of Via Real, south of Highway 192, east of Nidever Road, and west of Linden Avenue, as available for intensified greenhouse expansion. The Revised FEIR (page 5) found that "limiting major greenhouse development north and east of these roadways [Highway 192 and Linden Avenue] creates a defined, logical greenhouse expansion boundary that maintains development within and adjacent to historic clusters and preserves the rural character of the valley."

Along with the change in the expansion area boundary, the revised project included the deletion of maximum lot coverage requirements, except for the eleven designated view corridor parcels, and intended to be offset by increased setback requirements. As proposed under this LCP amendment, the front setback is seventy-five (75) feet from the right of way line of any street, irrespective of centerline and the interior lot setback was

designated at twenty (20) feet from the lot lines on which the building or structure is located, as opposed to various requirements for odd-shaped lots. Additionally, residential setbacks were modified such that greenhouse development be setback one hundred (100) feet from a residentially-zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within fifty (50) feet of the parcel boundary. Finally, an additional setback of one hundred (100) feet from the top-of-bank or edge or riparian habitat of natural creek channels, whichever is greater, was imposed. The amendment further includes special provisions for the designated view corridor parcels. View corridor parcels are allowed maximum net lot coverage of 25% and greenhouse development on such parcels must be setback two hundred fifty (250) feet from the right of way line of any street.

The County estimates that there is presently 14.9 million square feet of greenhouse and greenhouse related development within the Carpinteria Valley. Based on the updated expansion area boundaries and modifications to lot coverage and setbacks, the County estimates an additional greenhouse buildout potential of approximately 8.6 million sq. ft. in the proposed Area A of the overlay district. However, as provided in the proposed amendment, the County imposes a development cap of 2.75 million square feet of total greenhouse development (excluding shade structures). Therefore, while a greater number of parcels and more acreage would be eligible for greenhouse development as proposed by this LCP amendment, the total cumulative development potential would be regulated.

Under the proposed LCP amendment, two large open field blocks would be designated for intensified development in addition to the five large existing greenhouse cluster areas within the Area A overlay. Designating the area south of the 192 between Nidever Road and Linden Avenue as the intensified greenhouse development expansion area is a political boundary that incorporates eleven lots identified by the County as view corridor parcels. The intensified development of these view corridor lots is inconsistent with Section 30250 of the Coastal Act, incorporated as a guiding principle into the certified LUP, which requires that new development to be sited where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. By designating the identified view corridor parcels as expansion areas, with up to 25% lot coverage, the Commission finds that the proposed amendment would have adverse affects to public views, scenic values, and rural character of the Carpinteria Valley.

The Commission recognizes that siting future intensive greenhouse development in the Carpinteria Valley is more appropriately based upon proximity to existing historic greenhouse clusters, parcel visibility, distance from adjacent incompatible land uses (residential, schools, etc.), distance from water courses, existing crop type, and parcel size, consistent with Section 30250 of the Coastal Act. Section 30250 requires the clustering of development with existing development able to accommodate it and in a location that will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Therefore, the Commission finds that the “logical” greenhouse expansion boundary proposed under Policy 8-5(e) and the provisions of Section 35-102 (Carpinteria Valley Agricultural Overlay District) of the certified implementing zoning code are inconsistent with Section 30250 of the Coastal Act, which was incorporated by reference into the certified LUP. Clustering greenhouse development in areas that are already visually degraded and have infrastructure to support such development minimizes cumulative impacts to visual resources, infrastructure, and open space. To ensure that new greenhouse development in the study area is sited with existing compatible greenhouse development, the Commission suggests Modification One (1) to Section 3.2 (New Development) of the LUP to specifically designate clustering of future intensified greenhouse development in the Carpinteria Valley. Modification 1 suggests the addition of a policy for all greenhouse and greenhouse related development within the Carpinteria Valley that is 20,000 sq. ft. or greater (cumulative per parcel) to be located within, contiguous with, or in close proximity to existing greenhouse development to preserve the scenic values and rural character of the Carpinteria Valley. Furthermore, Modification 1 will ensure clarification of the hierarchy of the LCP policies, such that the LUP shall guide implementation, thereby avoiding internal conflicts within the LCP that could hinder effective LCP implementation.

The configuration of the future greenhouse development expansion areas was more fully explored under the original Final EIR (FEIR) for this project. The FEIR for this project recommended rezoning in the Carpinteria Valley to designate expansion areas based upon proximity to existing historic greenhouse clusters, parcel visibility, distance from adjacent incompatible land uses (residential, schools, etc.), distance from water courses, existing crop type, and parcel size. These criteria were established to promote future greenhouse expansion adjacent to existing greenhouse clusters and avoid piecemeal expansion of greenhouses into open field areas. The expansion areas are intended to provide specific locations where greenhouse development expansion of 20,000 sq. ft. or greater is allowed. In addition, development standards and permitting procedures were developed to guide the approval of new greenhouse projects. The non-expansion areas were intended to designate parcels for the preservation of open field agriculture and to provide standards that would promote and support open field operations as a long-term viable use by limiting expansion of greenhouses and related intensive infrastructure improvements. The open field agricultural areas would permit greenhouse development of less than 20,000 sq. ft. cumulative per parcel. Greenhouse development of less than 20,000 sq. ft. is presently a permitted use in the AG-I zone district and would remain unchanged in both the expansion and non-expansion areas. Under the existing zoning, greenhouse development of below this 20,000 sq. ft. threshold level requires a coastal development permit.

Four alternatives were assessed in the FEIR: (1) No Project Alternative; (2) High Buildout Alternative; (3) Low Build Alternative; and (4) the Preferred Alternative. The *No Project Alternative* assumes that LCP policies, zoning requirements, and other county plans, policies, and programs now in effect would continue to apply. Applications for

greenhouse development would continue to be processed on a case-by-case basis through a major conditional use permit with no restrictions on the location of such development within the AG-I zone district. Under this option, development standards would be identified through individual environmental and permit review. This alternative assumes a steady growth rate, approximating annual greenhouse development at 300,000 sq. ft. per year (approximately 3 million sq. ft. of greenhouse development was approved within the study area between 1989-1999) according to the FEIR. Therefore, the no project alternative represents approximately 4.5 million sq. ft. of greenhouse expansion, over a 15-year planning horizon.

The *Low Buildout Alternative* designates approximately 394 acres for potential intensive greenhouse development (Exhibit 15a). This alternative relies primarily on buildout of parcels with existing greenhouses to their maximum potential consistent with proposed development standards and the redevelopment (retrofit) of older greenhouses. Buildout of this alternative would allow approximately 2.2 million sq. ft. of new greenhouse development in a limited area primarily, north of Via Real, south of Highway 192, east of Nidever Road, and west of Linden Avenue. One additional area identified for intensified development under the low buildout alternative is an existing greenhouse cluster in the southeast corner of the intersection of Casitas Pass Road and Highway 192.

The *High Buildout Alternative* designates approximately 519 acres for potential greenhouse expansion (Exhibit 15b). These expansion areas overlap the low build out, but designate an additional 125 acres for intensive development based on emerging greenhouse clusters north of Highway 192 and east of Casitas Pass Road. This alternative would allow for a total buildout of approximately 4.2 million sq. ft. of greenhouse development.

The *Preferred Alternative* identified in the FEIR (March 2000) represents a medium buildout level, allowing for approximately 3 million square feet of potential intensive greenhouse development over 462 acres (Exhibit 15c). The expansion area is generally located south of Highway 192 between Nidever Road and Linden Avenue. However, there are two other greenhouse clusters included in the expansion area, including one north of Highway 192 west of Linden Avenue and one east of Casitas Pass Road and south of Highway 192.

Buildout for each of these alternatives was calculated based on analysis of the remaining development potential of parcels located within the proposed expansion areas, as well as the maximum allowable square footage for undeveloped parcels based on the proposed setback and building coverage requirements. Lot coverage was defined to include all greenhouse structures, parking, accessory buildings, and retention basins. Lot coverage buildout calculations were based on the existing gradation of lot coverage requirements approved in the certified LCP, such that parcels less than five acres are allowed 75% maximum lot coverage, lots from 5 to 9.99 acres are allowed 70% maximum lot coverage, and lots 10 acres or more are allowed 65% maximum lot coverage. The

setbacks approximately mirrored the existing greenhouse development setbacks with: front setbacks of fifty (50) feet from the centerline and thirty (30) feet from the right of way line of any street; side and rear setbacks of thirty (30) feet from the lot lines on which the building or structures is located; and additionally, no structures shall be located within fifty (50) feet of any residentially zoned lot or any adjacent lot with an approved residential use. These setbacks represent a slight change from existing setbacks: (1) existing standards within the certified LCP require only 20-foot side and rear setbacks and (2) existing certified LCP language requires lots containing five or more gross acres to have an additional setback of thirty (30) feet from the lot lines of the lot on which the structure is located.

As stated above, proposed LUP Policy 8-5(e) is inconsistent with Section 30250 of the Coastal Act because the delineation of the expansion area under the proposed Carpinteria Valley Overlay District that it adopts is inconsistent with the clustering requirement for new development and avoidance of cumulative impacts to coastal resources, as described in more detail in the Agriculture, Water Quality, and Visual Resources Sections of this staff report.

The Commission finds that, in contrast with proposed LUP Policy 8-5(e), the configuration of greenhouse development expansion areas contemplated under the low build alternative (Exhibit 15a), as delineated in the FEIR and discussed above, maximizes infill development of existing greenhouse clusters, avoids parcels within important viewsheds, and maintains compatibility with adjacent land uses. Under this alternative, expansion of underdeveloped parcels and redevelopment of older greenhouses is encouraged as the primary means of accommodating new development. The low build expansion configuration, of the four alternatives proposed in the FEIR, was generally supported by staff in the response to draft EIR (Exhibit 5) and was described as the environmentally superior alternative in the FEIR. The FEIR did not call out the low build alternative as the preferred alternative, instead proposing a hybrid buildout alternative with adoption of a Statement of Overriding Considerations with respect to the economic benefit of greenhouse development to overall agricultural production in the County. Modifications Two (2), Eight (8), and Nine (9) modify LUP Policy 8-5(e), the Carpinteria Overlay District Map, and the provisions of the overlay district with the low build alternative.

Furthermore, the Commission finds that a development cap will serve as an indicator as to the total amount of greenhouse development allowed within the expansion area, thereby minimizing total potential cumulative impacts to coastal resources. Under the present LCP amendment, the County proposes a development cap of 2.75 million sq. ft. of greenhouse and greenhouse related development, excluding shade structures, within the designated expansion area. However, as stated above, the proposed configuration of expansion area is not consistent with the requirement for new development to be clustered with existing development. Consistent with the Commission's finding, above, that the configuration of expansion identified in the low build alternative minimizes cumulative impacts to coastal resources, the potential greenhouse development buildout

would be reduced to approximately 2.2 million square feet, within the revised low-build area delineation. However, staff notes that the 2.2 million sq. ft. buildout was calculated based on slightly different parameters with regard to setbacks and lot coverage. Under the present LCP amendment, setbacks and lot coverage have been modified in a more restrictive manner than contemplated in the original buildout calculation. Furthermore, additional requirements applicable to lot coverage suggested as modifications to this LCP amendment, are not reflected within the 2.2 million sq. ft. buildout calculation. In general, the additional requirements are more restrictive and therefore the potential to reach the 2.2 million sq. ft. development is reduced. But given that the calculation of buildout is intended as a planning tool to guide future planning and development and is anticipated to be somewhat speculative in nature, the Commission finds that the 2.2 million sq. ft. buildout calculation will serve as an adequate target to ensure that maximum future greenhouse development is defined for the expansion areas.

For the reasons described above, to bring Policy 8-5(e) into conformance with Section 30250 of the Coastal Act, the Commission suggests Policy 8-5(e) be modified as provided in Modification Two (2). Modification 2 deletes the referenced date of the adoption of the Carpinteria Agricultural District Overlay because the overlay district, standards, and development cap adopted in February 2002 are not protective of coastal resources as described above. Modification 2 provides clarifying language recognizing that the general expansion area designated south of Highway 192, east of Nidever Road and west of Casitas Pass Road will be reduced in potential, as specifically identified on the final, approved Carpinteria Agricultural Overlay District map. And finally, Modification 2 allows for a reduced development cap of 2.2 million square feet, consistent with the reduced expansion area configuration. Modification 2 also applies to the identical summarizing text proposed at the end of Section 4.2.2. Furthermore, the Commission suggests Modification Three (3) to amend the reported 2.75 million sq. ft. development cap in Policy 8-5(f) to 2.2 million square feet.

The Commission further finds that the appropriate location for intensified greenhouse development expansion is reflected in the original low build alternative described in the FEIR. Therefore, to ensure consistency with Section 30250 of the Coastal Act, as incorporated as a guiding policy of the certified LUP, and to ensure consistency with the proposed modifications to Policy 8-5, if modified as suggested, the Commission suggests Modifications Eight (8), Nine (9), Ten (10) and Nineteen (19). Modification Eight (8) suggests the Carpinteria Agricultural District Overlay Map be modified to reflect the expansion boundaries of the low build alternative identified in the Final Environmental Impact Report and attached as Exhibit 15a to this staff report. Staff notes that the technical implementation of the overlay district areas has changed, and thus Area A shall be equivalent to the AG-I-CARP zone district and Area B shall be equivalent to the AG-I-OF zone district as illustrated in Exhibit 15a. All AG-I parcels that are not identified as Area A shall be designated as Area B. The Commission further suggests Modification Nine (9) to clarify the text regarding the revised location of the expansion area and Modifications Ten (10) and Modification Nineteen (19) to assert the 2.2 million sq. ft.

development cap, consistent with the revised overlay boundaries suggested in Modification 8.

Policy 8-6 of the certified LUP allows for variable maximum lot coverage (ranging between 65% and 75%) for greenhouse development. Maximum lot coverage was adjusted upward (75% lot coverage) for lots less than 5 acres since setbacks account for a larger proportion of smaller lots. Whether a parcel will be affected in any significant way by increased setbacks alone, depends upon the parcel shape and adjacent constraints. A small, highly constrained parcel may not even reach 65% lot coverage once setbacks are applied. Alternatively, a very small, unconstrained, square or rectangular-shaped lot (e.g., 2 acres in size) could potentially develop nearly 80% of the lot if only setbacks are applied.

Under the proposed amendment, Policy 8-6 would be modified to designate lot coverage, height, and setback requirements specific to greenhouse development in Carpinteria Valley. Lot coverage and setback requirements dictate the siting of greenhouse development to ensure compatibility with surrounding land uses and to minimize impacts of development to open space, scenic resources, open field agriculture, flood hazard, sensitive resources such as streams and creeks, and water quality.

Section 30250 of the Coastal Act requires that new development not have significant adverse effects on coastal resources. Under the County's proposal, maximum lot coverage standards for greenhouse development in Carpinteria Valley would be deleted, except for designated view corridor parcels, which would be allowed a maximum 25% lot coverage. There are a number of benefits to retaining maximum lot coverage requirements, including the ability to allow greater setbacks, greater flexibility in siting greenhouse development on the parcel, and providing an increase in the area that can be used to develop effective landscaping to screen the greenhouse development. The greater flexibility of site design can be used to site development further away from adjacent conflicting land uses, such as residences and streams and creeks. The FEIR recommends maximum lot coverage of 65% for all parcels not designated as view corridor parcels, for the preceding reasons. It is important to note that maximum lot coverage applies only to greenhouse development and the remainder of the lot is available for other permitted uses identified within the AG-I zone district such as open field agriculture or farm employee housing.

The Commission finds that the deletion of maximum lot coverage, under Policy 8-6, may have significant adverse affect to coastal resources, inconsistent with Section 30250 of the Coastal Act. Therefore, the Commission suggests Modification Four (4) to allow a maximum 65% cumulative lot coverage for all greenhouse and greenhouse related development to ensure compatibility with surrounding land uses, protect public views and scenic resources, and control the density of greenhouse development consistent with Section 30250. In addition, to ensure implementation plan consistency with suggested Modification Four, the Commission suggests the identical changes be made to Section

35-102E.8 which assign lot coverage requirements in the Article II Zoning Code, pursuant to Modification Thirteen (13).

Furthermore, pursuant to the revised location of intensified greenhouse development suggested through Modification Eight (8), Nine (9), Ten (10) and Nineteen (19) discussed above, the view corridor parcels would no longer be located within the Area A expansion area, but would be located within Area B of the Carpinteria Agricultural Overlay District, and subject to the provisions therein. Area B allows for a maximum of 20,000 sq. ft. of greenhouse and greenhouse related development per parcel. As regulated under the proposed overlay district configuration, the view corridor parcels would be allowed maximum lot coverage of 25%. However, staff notes that the 20,000 sq. ft. requirement for Area B is more restrictive than 25% maximum lot coverage given the size of the parcels, and therefore the maximum 20,000 sq. ft. lot coverage is more protective of the resources. Therefore, to ensure consistency among the provisions of the proposed overlay district, if modified as suggested, and to ensure compatibility with surrounding land uses, protect public views and scenic resources, and control the density of greenhouse development consistent with Section 30250, as incorporated by reference into the certified LUP, the Commission suggests Modification Four (4) and Modification Thirteen (13) which delete the 25% maximum lot coverage requirement on the designated view corridor parcels and specify that a maximum 20,000 sq. ft. lot coverage would be applied to these parcels, now in Area B.

Pursuant to Policy 8-5, greenhouse development permits are granted ministerially by the County through their coastal development permit process, unless cumulative greenhouse development is 20,000 sq. ft. or more. Under the current code, if greenhouse expansion, packing sheds, or other development total 20,000 or more square feet, the project requires County discretionary approval and is subject to environmental review under County CEQA guidelines.

Currently a Conditional Use Permit (CUP) is required for all new greenhouses and related development (i.e., packing sheds and other accessory structures) over 20,000 sq. ft. The new requirements would allow greenhouses, accessory structures, and temporary structures such as shade structures to be permitted by ministerial coastal development permit provided such structures meet certain qualifying criteria, comply with the necessary development standards, and are not larger than 20,000 sq. ft. For structures that are 20,000 sq. ft. or greater, such development would be permitted through a Development Permit. Packing and shipping facilities greater than 5,000 sq. ft. would require a Minor CUP.

The proposed LCP amendment allows for the continued development of 20,000 sq. ft. on all parcels outside of the expansion zone, Area "B" of the Carpinteria Valley Agricultural Overlay District, which encompasses all AG-I zoned parcels that are not designated for expansion. As provided in Section 35-102E.2 "Applicability and District Boundaries," no more than 20,000 sq. ft. of cumulative greenhouse development is permitted per legal lot on Area B parcels. This requirement effectively regulates maximum lot coverage for Area

B. However, it is not reported under the lot coverage requirements listed in proposed Policy 8-6. Policy 8-6 clearly defines lot coverage to include all greenhouses, shade and hoop structures, packing and shipping facilities, and greenhouse related development, including accessory buildings, and associated paved driveways and parking areas. The Commission finds that the 20,000 sq. ft. lot coverage requirement for Area B lots is more appropriately located in the section where lot coverage is specifically designated and assigned under Policy 8-6. To ensure internal consistency and clarity, the Commission suggests Modification Four (4) to specify the maximum cumulative lot coverage of 20,000 sq. ft. of greenhouse development in Area B, under Policy 8-6 which assigns lot coverage requirements. In addition, to ensure implementation plan consistency with suggested Modification Four, the Commission suggests the identical changes be made to Section 35-102E.8 which assign lot coverage requirements in the Article II Zoning Code, pursuant to Modification Thirteen (13).

The Commission therefore finds that the proposed amendments to Policy 8-5 and Policy 8-6 as submitted are inconsistent with and inadequate to carryout the requirements of Section 30250 of the Coastal Act unless modified as suggested above. Furthermore, the proposed overlay district boundaries, development cap, and general requirements are not consistent with Section 30250 of the Coastal Act, as incorporated into the certified LUP, unless modified as suggested above.

Nonconforming Structures & Amnesty Program

The proposed CA Overlay also includes provisions to allow existing legally permitted, nonconforming greenhouse development to continue in perpetuity with minor alterations and additions, including retrofit of aging structures. The structures would be encouraged over time to comply with the height and setback requirements, and all applicable development standards of the overlay district. The CA Overlay District requirements provide special consideration for existing greenhouses that are in excess of the 20,000 sq. ft. per parcel cumulative development limit in Area B. The amendment proposes to grandfather the size (cumulative lot coverage) of all legally permitted greenhouse development in Area B. Greenhouse development of greater than 20,000 sq. ft. in Area B, which meets all other provisions of the CA Overlay District is considered a conforming structure. Greenhouse development of greater than 20,000 sq. ft. in Area B which does *not* meet the other provisions of the CA Overlay District is considered a nonconforming structure and the property owner would be permitted to: remodel and/or rebuild the development at the same size in the same general location consistent with the provision of the proposed overlay district; construct minor additions up to a maximum of 1,000 sq. ft.; and rebuild the same size facility in the same general location to meet CA Overlay District requirements if the structure was destroyed (damaged at 75% or more of the replacement cost) by natural disaster.

The overlay district designates greenhouse development as a conforming *use* if it was legally permitted as of the effective date of ordinance adoption. The Commission finds that this definition of conforming use conflicts with the existing certified LCP zoning for the

AG-I zone district. According to the AG-I zone district, greenhouses are a permitted use. Though the zone district goes on to state further processing requirements such that a development permit would be required for greenhouse development over 20,000 sq. ft. cumulative per parcel, greenhouses are listed as a permitted use. Therefore all greenhouses and related development are conforming uses under the certified LCP, irrespective of whether they existed as of the date of the adoption of the ordinance. To avoid internal conflicts, which may reduce the effective implementation of the certified LCP, the Commission suggests Modification Sixteen (16) to delete the text, which defines conforming use. Similarly, the reference to the definition of conforming uses in Section 102E.7 would be deleted as shown in Modification Seventeen (17).

The LUP is silent on the issue of conforming and nonconforming structures. Presumably, the existing non-conforming provisions outlined in the implementation program represent the measures necessary to support the resource protection policies of the LUP (e.g., visual, ESHA, access, agriculture, etc.). The proposed CA Overlay District defines nonconforming structures as those structures that do not meet the general height, setback, and lot coverage requirements, regardless of the size of the existing development. This conflicts with the definition of conforming structures in the certified LCP. Non-conforming structures are defined in the certified Coastal Zoning Ordinance as “a building or structure, the setbacks, height, or location of which was lawful prior to the adoption of this Article or any amendments hereto, or previously adopted County Zoning Ordinances and which does not conform to the present regulations of the zoning district in which it is situated.” Therefore, greenhouse development of over 20,000 sq. ft. in Area B would be considered a non-conforming structure because it would not meet the lot coverage requirement of the proposed overlay district. To avoid conflicting definitions of nonconforming structures within the LCP, the Commission suggests Modification Seventeen (17) to delete reference to 20,000 sq. ft. development in Area B as a conforming structure.

Furthermore, Modification 16 clarifies the nonconforming greenhouse development policy to ensure that the greenhouse development not be enlarged, extended, moved, or structurally altered to allow cumulative development in excess of 20,000 sq. ft., consistent with the 20,000 sq. ft. cumulative development limitation assigned to all parcels within Area B. Modification 16 further provides that existing nonconforming greenhouse development that was legally approved and constructed at greater than 20,000 sq. ft. shall not be enlarged, extended, moved, or structurally altered beyond the existing development footprint. Development over 20,000 sq. ft. in Area B would serve to increase the extent of nonconformity. The Commission further suggests that the maximum 20,000 sq. ft. lot coverage in Area B be clarified under Section 35-102E.5 as shown in Modification Eleven (11). Section 35-102E.5 defines minor additions that would be subject to coastal development permit processing. Modification 10 clarifies that minor additions of up to 1,000 sq. ft. may be approved by CDP, except where the addition would allow more than 20,000 sq. ft. cumulative development on an Area B parcel.

Staff notes that an LCP and the coastal development permits issued pursuant to it are the principal mechanisms by which state coastal policies are applied at the local level. There are currently many older existing greenhouse structures in the area that were constructed prior to the adoption of the Coastal Act policies, as amended. These structures may have been sited and designed in a manner contradictory to coastal management policy and standards. To ensure the effective implementation of the LCP, including the resource protection policies of the certified LUP, the Commission suggests Modification Seventeen (17) to assure that if these legal nonconforming structures are substantially rebuilt that they will be brought into compliance with LCP standards. Modification 17 provides that existing, lawfully approved and constructed prior to the adoption of the LCP amendment that do not conform to the provisions of the LCP may be maintained and repaired. Additionally, additions or improvements may be made to such structures provided that such additions or improvements themselves conform to the LCP. However, demolition and site redevelopment cannot be permitted unless all structures are brought into conformance with the policies and standards of the LCP. Pursuant to Modification 17, if the demolition and reconstruction results in the demolition of more than 50 percent of the exterior walls of the structures on the lot with nonconforming greenhouse or greenhouse related development, the redevelopment of this greenhouse development shall not be permitted unless brought into conformance with the provisions of the overlay, including the applicable maximum lot coverage.

The proposed amendment includes special provisions for nonconforming structures that are damaged by fire, flood, earthquake or other natural disaster. According to the certified language in the LCP, if the damage is less than 75% of the replacement cost at the time of damage, non-conforming structures may be restored to the same or lesser size in the same general footprint location. Under this amendment, if the damage is more than 75% of the replacement cost at the time of damage, the structure may be reconstructed in accordance with the overlay district requirements, thereby becoming a conforming structure. The proposed disaster replacement provision indicates that when the development destroyed at more than 75 percent replacement cost damage, the structure may be rebuilt at the same size, provided it meets all other provisions of the overlay district and therefore will become a conforming structures. As stated above, a nonconforming structure is one that does not meet the provisions of the LCP, which would include maximum lot coverage. The Commission recognizes the intent of this policy to grandfather in the size of the existing, legally permitted structures, while encouraging consistency with all other provisions of the overlay. Such allowances would conflict with the provision of the overlay district and lessen the protection of existing LCP text with regard to nonconforming structures. The Commission finds that the definition of nonconforming structures in the certified LCP shall continue to govern whether a structure is deemed conforming or nonconforming. Therefore, the Commission suggests Modification Eighteen (18) to delete reference to rebuilt greenhouse structures routinely being designated as a conforming structure. Furthermore Modification 18 clarifies sizing requirements for structures damaged in this manner.

The coastal permitting procedures also allow a variety of repair, maintenance and improvements to legal nonconforming structures, consistent with LUP policies. Section 13.5 (A) of the LIP assures that provisions applied to nonconforming use or structures apply only to any existing and lawfully established or lawfully authorized uses and structures that are not otherwise exempt from permit requirements. The CDP ordinance recognizes that nonconforming uses can continue to be repaired and maintained, but it includes additional criteria for evaluating whether additional, improvements increase the extent of non-conformity or are so substantial as to comprise a new development for which compliance with current LCP standards is required. As proposed this will ensure that these nonconforming uses are not expanded and improved in a manner that increases impacts on coastal resources.

The CA Overlay also includes an amnesty program allowing existing unpermitted greenhouse development constructed prior to April 22, 1999 (the date of the Notice of Preparation for the Environmental Impact Report for this project) to be legalized through application for a development permit if such structures conform to the provisions of the overlay district. There is one exception, however, for structures over 20,000 sq. ft. in Area B. These larger developments will be allowed to be same or lesser size providing they meet all other provisions of the overlay district. The County staff asserts that any approval associated with the existing unpermitted structures to legalize the development during the amnesty period shall be reviewed consistent with the new policies and provisions of the applicable overlay district. However, the structures legalized during the two-year amnesty would not be counted towards the development cap.

County staff has advised that unpermitted greenhouse and greenhouse related development was considered as part of the baseline analysis in the FEIR which was conducted primarily on aerial photo-based analyses. Therefore, the anticipated buildout for each alternative evaluated in the FEIR had already calculated the development of these unpermitted structures, and discounted the development cap accordingly. The Commission recognizes that the unpermitted structures are accounted for in the baseline environmental analysis. However, the Commission also recognizes that greenhouse and greenhouse related development that occurred without benefit of a coastal development permit is without legal recognition under the certified LCP and therefore cannot be considered a part of the baseline analysis. The Commission finds that all greenhouse and greenhouse related development, whether existing unpermitted structures or new proposed development, permitted after the effective date of implementation is additive of the recognized, legal development. Furthermore, there is no basis in the certified LUP to recognize unpermitted development; however, the basis for the development cap under Section 30250 of the Coastal Act is described in detail in the preceding section. For the above reasons, the Commission finds that the discounting of unpermitted development toward the development cap is inconsistent with the LUP. Therefore, the Commission suggests Modification Ten (10) to delete the text in Section 35-102E.4 which removes unpermitted development from the development cap calculation. Similarly, the Commission suggests Modification Nineteen (19) to modify the text of Section 35-102E.7

to state that unpermitted greenhouse development approved during the amnesty period, would still count toward the development cap.

The Commission therefore finds that the proposed amendments to the implementing zoning ordinance as submitted are inconsistent with and inadequate to carryout the requirements of the certified LUP resource protection polices and may conflict with, and lessen the implementation of, existing certified language in the implementing coastal zoning ordinance. Therefore, the Commission finds that the proposed amendment to the LCP, only as modified, is consistent with the development policies of the Land Use Plan.

VII. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to Section 21080.9 of the California Environmental Quality Act (“CEQA”), the Coastal Commission is the lead agency responsible for reviewing Local Coastal Programs for compliance with CEQA. The Secretary of Resources Agency has determined that the Commission’s program of reviewing and certifying LCPs qualifies for certification under Section 21080.5 of CEQA. In addition to making the finding that the LCP amendment is in full compliance with CEQA, the Commission must make a finding that no less environmentally damaging feasible alternative exists. Section 21080.5(d)(2)(A) of CEQA and Section 13540(f) of the California Code of Regulations require that the Commission not approve or adopt a LCP, “...if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.”

The proposed amendment is to the County of Santa Barbara’s certified Local Coastal Program Land Use Plan and Implementation Ordinance. The Commission originally certified the County of Santa Barbara’s Local Coastal Program Land Use Plan and Implementation Ordinance in 1981 and 1982, respectively. For the reasons discussed in this report, the LCP amendment, as submitted is inconsistent with the intent of the applicable policies of the Coastal Act and the certified Land Use Plan and feasible alternatives are available which would lessen any significant adverse effect which the approval would have on the environment. The Commission has, therefore, modified the proposed LCP amendment to include such feasible measures adequate to ensure that such environmental impacts of new development are minimized. As discussed in the preceding section, the Commission’s suggested modifications bring the proposed amendment to the Land Use Plan and Implementation Plan components of the LCP into conformity with the Coastal Act and certified Land Use Plan. Therefore, the Commission finds that the LCP amendment, as modified, is consistent with CEQA and the Land Use Plan.